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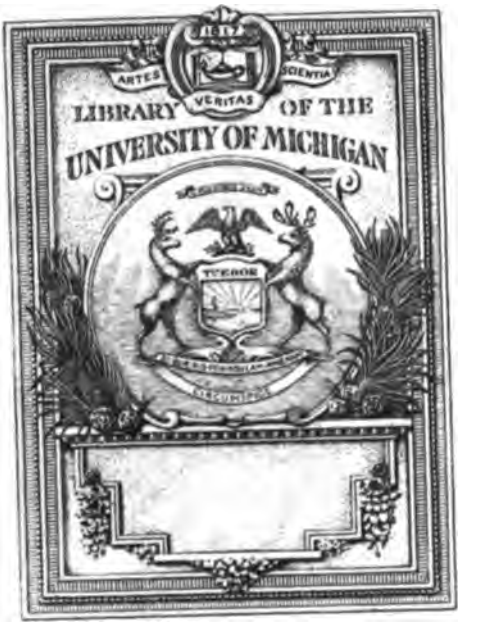
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The World's Orators

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Comprising

THE GREAT ORATIONS OF THE WORLD'S HISTORY

With

Introductory Essays, Biographical Sketches and Critical Notes

GUY CARLETON LEE, PH.D.
Editor-in-Chief

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PREFACE

TO

THE ORATORS OF ENGLAND

(Part I)

THE Editor has endeavored to present in this volume, the sixth in the World's Orators Series, those examples that best illustrate the early development of secular oratory in England. The period considered ends with the year eighteen hundred.

The list of orators includes, in addition to familiar names, several that are not usually found in an enumeration of the great orators of England. Place has been given to these lesser speakers because they have produced types of eloquence which in their day and generation were models of good and effective speaking. No historical treatment of English Oratory would, therefore, be

complete without such examples. The Orators of Scotland, Ireland, and the British Colonies are not treated in this volume.

G. C. L.

HISTORICAL DEPARTMENT,
JOHNS HOPKINS UNIVERSITY,
1900.

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THE WORLD'S ORATORS

THE WORLD'S ORATORS

THE ORATORY OF ENGLAND

FIFTEEN centuries ago the Teutonic invaders drove the Celtic inhabitants from Britain and established on the hardly won island the institutions of the Germanic tribes. With the Celtic institutions we are not here concerned, for in neither their original nor their Romanized forms have they left traceable influence upon the oratory of the English. Teutonic institutions are, on the other hand, of great importance in the study of the development of oratory. Proof that Anglo-Saxons possess a native and peculiar eloquence is to be found in the history of their literature, but proof that this eloquence existed in the earliest days of the Anglo-Saxon race can be found only in the history of its institutions.

The activities of the units of society, whether considered singly or in combination, were originated, directed, and terminated by the power of the voice. For the family listened to the voice of its head, the tribe to its chief and to its wise men, and the confederated tribes to their leaders. Whether in peace or war, it was by the power of the voice, and by that alone, that the Anglo-Saxon of the invasion was guided, as had been his Teutonic forbears of the Mainland.

The family and tribal gatherings met for other functions than those we now roughly class as political. Religious ceremonies were frequent and important. In these, as in those of to-day, though to an undefined extent, the voice was the medium of prayer or praise.

One other institution is important in our consideration, and that is the office of tribal or itinerant minstrels. These singers, or reciters, developed the eulogistic style of eloquence to a degree rarely appreciated by modern scholars.

It is, then, to the speeches of the chiefs and leaders at public meetings, to the "prayer and praise" of those officiating at religious ceremonials, and to the tales and songs of gleemen and minstrels that we must turn for the beginnings of Anglo-Saxon oratory. For tens, if not for scores of centuries before the beginnings of written literature, these institutes existed. During all this vast

expanse of time there was a Teutonic foundation for Anglo-Saxon eloquence.

The close of the sixth century marked the transition of the invaders of Britain from predatory, raiding hordes to people more or less firmly settled in recognized and exclusive districts. Wandering ceased, and the people began to develop rude forms of government in which, as in the primitive years, local affairs were adjusted in public meetings. The essence of a public meeting is, and was, the free expression of thought by the voice. We cannot determine just how far this liberty prevailed in the moots of village, hundred, or shire. We can, however, confidently assert that as these meetings determined the acts of their respective districts, so the voice, even in the sixth century, governed England as it did for twelve ensuing centuries, until print shared with speech the control of the people.

There was no national oratory in the seventh and eighth centuries, for there was no English nation. In the small and contending kingdoms political oratory found ample scope for its exercise and grew in force and influence. In this period, in which the West Saxon Egbert was destined to become the first king of the English, we find three distinct divisions of oratory. The first in importance was the political, and in this class, for motives of present convenience, we here include all varieties of public speaking that cannot be

comprised in the two remaining divisions. These are, in the order of their importance, the ecclesiastical and the eulogistic.

The second type of oratory disputes the first place of importance with the political type, for many students are of the opinion that ecclesiastical oratory was the paramount type in the Anglo-Saxon era. We can divide the history of ecclesiastical oratory into two distinct periods: the first, that of the pagan priests; the second, that of the Christian Church. In strict differentiation we must divide the oratory of the second period into two classes, both Roman: that of the Irish Church and its followers, and that of the Augustine Church and its successors. The line of demarcation is sharp, and separates the enthusiastic, passionate eloquence of the Celtic from the more subdued and logical style of the Romanist.

The highest types of eulogistic oratory were generally in verse, but beside these poetical forms prose eulogy developed, and by the eleventh century supplanted verse in commemorative oratory. When the form had once been established, the eulogistic became an important and recognized division of oratory. It is worthy of notice that this type has been less changed by fashion than its fellows.

The last four centuries of the Anglo-Saxon period were devoid of innovation or important change in

oratorical standards. The increasing culture, the growing complexity of social relationships, the new political combinations, the advance of royal power, all affected oratory, but rather to aid its development along old lines than to give new form or direction to its growth.

A new era in the history of oratory begins with the century of the Conquest.

From the advent of the Normans, and indeed from the middle of the reign of Edward the Confessor, the old style of public speaking, the abrupt, short, pithy exhortations, began to give way to the more polished, ornate, and scholastic style of the Italian schools. The length of the speech, however, increased but slightly — the Normans were men of action as well as the Saxons — but the opportunities presented by the newly organized courts and the re-organized Witan led to new interest in the cultivation of the art of public speaking. In the reign of Stephen systematic instruction in legal oratory can be traced, and although it is far from certain that this reign witnessed the beginning of such training, yet its existence is there first evidenced.

From the years of the Norman kings to the incoming of the Tudors, history has preserved no authentic examples of oratory. Yet that orations of great force and tremendous influence were delivered cannot be denied. Stirring events, such as

the contest between Henry II. and the great churchman, Anselm; between King John and the Barons, led by another great churchman, Stephen Langdon; the conflicts that accompanied the formation of the Model Parliament, the deposition of Richard II., and scores of incidents equally as dramatic, must have called forth the most powerful eloquence. What was done has been partially recorded — what was said has passed into the silence of centuries.

The first tangible evidences of secular oratory begin with the sixteenth century. This does not imply that before that era there is no trace of eloquence. Traces there are in abundance, but none of these remains, whether of the old Rolls, the Chronicles, or the Records, are available as specimens of the oratorical art.

At the beginning of the Tudor dynasty we may characterize English oratory as matter-of-fact, dry, and practical. It was the age of formalism. The courts and Church furnished models for parliamentary oratory. The speech and the debate were short and either didactic or conversational in style. Yet to this general description an exception must be noted. In this era, as in all those preceding or succeeding it, the speech which resulted from passion possessed the qualities which characterize this type of oratory to-day.

The great spread of learning that came at the

close of the fifteenth century gave a new cast to oratory. The sudden and wide diffusion of newly accessible classical knowledge, and the popularization of the Scriptures, converted the over-plain, uninterestingly simple style of English oratory into an artificial pedantic display of recently acquired and hardly understood learning. Yet now and again the blunt, practical English nature broke through the new and confining style and showed all of the rough earnestness that distinguished the eloquence of earlier years.

The reigns of the first three Tudors have little of note to present if we confine our consideration, as we are forced to do in this volume, to secular oratory. The men of the Church were the orators of the Tudor period, as the men of the Bar were those of the Stuart dynasty. Yet we must qualify this declaration by the statement that the greatest oration of the Tudor period was the work of neither a churchman nor a lawyer, but a poet, as was the greatest oration of the Stuart era.

The first of these writers of oratorical masterpieces was Shakespeare. His immortal speeches, written for public delivery, and so delivered, are among the great orations of the world.

In the Stuart era was Milton. Of him it has been said: "In England . . . no oratorical genius from the days of Bacon, of Bolingbroke downward, through epochs of revolution and

senatorial crisis, approximates to that displayed by Milton." As Shakespeare's oratorical passages resemble those of Cicero, so do those of Milton strikingly recall the eloquence of Demosthenes.

In the era of the Stuarts, English secular oratory acquired a prominence hitherto unknown. This was partly due to the comparative ease with which, by means of printing, the words of the orators were disseminated, but more particularly to the opportunities afforded by the spirit of the times. The people, rising against tyranny, would not be stilled. Their representatives challenged royal wrath by fearless denunciations of governmental abuses. As in every crisis of the world's history, the voice ruled the nation.

The most pleasing and graceful forms of oratory have flourished in times of profound peace. The most logical and finished oratory is most often produced by men whose passions are so subservient to intellect that their eloquence presents no evidence of human feeling. Yet such oratory is not the most powerful or highest type of eloquence. That demands strong incentives, intense feeling, and manifest energy. And—opportunity. It is often the opportunity that makes the speech rather than the speech the opportunity. The strongest oratory is founded on tumult, be that within the nation or the individual.

History reveals the mainspring of effective

oratory. When Athens's cup of bitterness overflowed, her oratory stood at its apogee. The thunder tones of Demosthenes sounded above the clash and clang of gathering war. Rome was torn by the violence of contending factions when the Gracchi mounted the rostrum. The State was saved from the machinations of Catiline by the eloquence of Cicero, and the last words of that immortal orator rang out against the overthrow of the Republic. As in ancient, so in modern times; and in England the grandest oratory was that of storm and stress.

In the reign of James I. the pedantry of the new learning and the formalism of the schoolmen were still present in the oratory of Parliament. As the bitterness between kings and people intensified, oratory became more vehement. Passion successfully contested with intellect in speech. Clear-cut logic expressed in ornamental style hardly survived the first decade of the seventeenth century. Speeches became, save in a few noteworthy instances, tumultuous torrents of strong words that carried conviction by their sheer weight and fitness to the occasion. Ungraceful speech, interlarded with strange, uncouth expressions from diatribic philosophy and ill-digested Scripture, was the rule and not the exception. Despite the crudeness and inconsistencies of the oratory of the seventeenth century, the period was a formative

one, and in it the influences that produced modern parliamentary oratory were at work.

The reign of James I. was prolific in powerful speakers. Sir Francis Bacon, John Pym, Thomas Wentworth,—afterwards Earl of Strafford,—John Eliot, John Hampden, and a score of others, contested for principles or for interest. The storm of revolution that swept royalty from England, that replaced hereditary by parliamentary and protectorate tyranny, brought opportunities for every phase of eloquence. The sword decided the fate of England, but the voice called the sword to action and finally sheathed it. To the list of orators prominent in the early years of the century we may add many new names of fierce sectaries whose fiery words, or curious scriptural-based arguments, carried conviction to men of like mould. Yet two men are distinguished above their fellows for oratorical excellence. The one is Oliver Cromwell, a strong speaker whose simple words carried a tremendous force not altogether dependent upon the power wielded by the orator. The other is Sir Henry Vane, who was one of the greatest orators of the Stuart era.

It is necessary that the student of oratorical development should saturate himself with the spirit of the times in which the orations under consideration were delivered. To the unsympathetic reader of the twentieth century the eloquence of the

middle of the seventeenth century will be dreary. It will seem slow, cumbersome, dull. Its involved construction, its abounding anti-climaxes, its total lack of arrangement, its seeming violation of every canon of oratory, will annoy and exasperate the stickler for modern theories. Yet there can be no doubt that such was not the view that the partisans of King or Parliament took of these speeches. The reason is plain : the force of the speaker's personality and the intense interest of the auditor in the subject discussed gave life and vigor to the utterances that to-day we can hardly appreciate. We have the body without the spirit, and are too prone to judge by the external form, forgetting that the spirit, and not the letter, of oratory gives it force and rank.

In the period from the Restoration to the fall of the Stuarts we find a gradual change in oratorical style. The Cavaliers eschewed the theological and heavy, they abandoned the passionate and hortatory, they spoke not as sectaries, not as men impressed with their mission, but as men of the world.

As the events leading to the revolution of 1688 became more important, oratory took another phase. The element of earnestness again impressed itself upon the speeches. Conviction was again accomplished by force of expression and sympathetic mutuality of interest. All preceding oratorical styles blended, and the processes, working

through long centuries, at last produced the modern type of parliamentary oratory.

This term may convey different meanings to readers, but it has a definite and single one for Englishmen. Lord Macaulay said, "Parliamentary Government is government by speaking," but it is more properly, as a writer in the *Westminster Review* (1893) has pertinently remarked, government by parliamentary speaking; and this because parliamentary speaking is "a species wholly distinct from the eloquence of the bar, the pulpit, or the public meeting."

Sir James Macintosh observed that parliamentary oratory is "animated conversation on Public Business, and it was rare for any speech to succeed in the House of Commons which was raised on any other basis." With this Canning agreed, and said: "The House is a business-doing body, and speaking must conform to its character. There must be method and ornament, but unconscious, unpremeditated, and reasoning first and foremost — be eloquent at any time but not at the appointed time." It has been deduced, therefore, that "parliamentary eloquence is conversation on public business based on reasoning." This is in the main true, but the term *conversation* is here used in a broader sense than usually given it. In fact, it in this sense conveys to the mind anything but its correct connotation. For conversation substitute the word *debate* —

with its connotation of louder tone, more with forceful style, and opportunities for the exercise of every phase of the orator's art as exemplified in these master speakers, Chatham, Pitt, Burke, and their contemporaries and successors.

This is a true conception of parliamentary oratory as established in the days of the Hanoverians and as perfected through succeeding Parliaments until the present day.

As we may place the modernizing of parliamentary oratory in the eighteenth century, so we may date the oratory of the Platform and the Bar.

Henry Jephson, learned author of that extremely valuable work, *The Platform: Its Rise and Progress,* has placed the beginning of platform oratory, or the oratory of public meeting, in the first part of the eighteenth century. An objection may be made to this attribution, for a historical retrospect will demonstrate that platform oratory prevailed among the Teutonic tribes and that the original oratory of the race was the oratory of the public meeting.

In this retrospect we can discover the influence of the platform oratory in almost every crisis of early English history. We need not confine ourselves to those greatest events that have left potent memories, such as the Gemot of Salisbury, the meetings leading to the Magna Charta, the agitations attending the agrarian troubles of the fourteenth century, the preparation for the Pilgrimage

of Grace, and the other insurrections following the suppression of the monasteries, and in the seventeenth century the agitations attending the ship-money struggle. These great events, and a host of lesser ones, prove conclusively that platform oratory existed through the entire history of England, and it is evident that we cannot in any sense attribute its beginning to the eighteenth century. We can, however, state that it then took new life, though not new form. The statement, that "it was then the first time in our history that great orators came into direct contact with large masses of the people," is correct.

It was in connection with the great religious revival led by Wesley and Whitefield, whose oratory we shall have occasion in a future volume to review, that platform oratory began its new career — a career made possible by the changed conditions of the national life, conditions that allowed thousands of persons to meet and hear a talented evangelist or popular speaker advocating the favorite measures of the people.

The growth of legal oratory took new impetus in the eighteenth century, but it did not, as has been too confidently asserted, originate at that time. The judicial side of legal oratory is as old as Saxon institutions. The other phase, the oratory of the representative of another, serjeant, barrister, attorney, or by whatever name designated, is

of great antiquity. The oldest records, however, prove that in earliest times each party to a suit was obliged to appear and plead in person. Such a regulation can only exist in a very primitive state of practice, and even there it is doubtful if the rule was capable of strict enforcement. Before the period when a class of men learned in the law first devoted themselves to assisting parties to judicial proceedings, the physically, mentally, or legally impotent were allowed representatives in the trial of the case at issue. What these persons may have uttered is as completely lost to us as the utterances of the suitors themselves, but we have ample evidence that they did address the court, and it is presumed that such speeches were largely in conversational style, with occasional bursts of condemnation or appeal that were eloquent though rude. By the close of the thirteenth century the profession of attorney had become firmly established and modern legal oratory took form. From the beginning of the fourteenth century English legal oratory became of greater and greater importance, until, under the conditions of the eighteenth century, litigants were allowed to appear in court through representatives of either their choice or that of the Judges. These new professional attorneys were displaced in the fourteenth century by a class of professional pleaders whose business was the law and whose

skill in speaking was their stock in trade. By steady and rapid progress legal oratory gained in importance. The ability to speak had become a key to success, and with the coming of the great national advancement of the Tudor period the legal orators gained an importance unsuccessfully disputed by the orators of the Church. The trammels of antiquarianism were shaken off in the eighteenth century. From that period forensic eloquence stands in the minds of many as the most important branch of English oratory.

In a consideration of the period two difficulties are met. First, the alleged reports do not contain unabridged speeches, but notes. Again the speeches purporting to emanate from distinguished orators are not literally theirs, being reported incorrectly through accident or design. Indeed, reporting was so notoriously ill done that an eminent Lord Chancellor exclaimed, "God forbid that ever their Lordships should call upon the shorthand writers to publish their notes; for of all people shorthand writers were ever the furthest from correctness."

Parliament was jealous of its privileges — it claimed as one of them the secrecy of debate. This had a sound reason in the years of tyranny, but the reason had lost its cogency in the era of liberty. The people were eager for correct intelligence of parliamentary proceedings — yet reporting these was forbidden. Reports were therefore made

with great difficulty and consequent incorrectness. Not until the nineteenth century have trustworthy reports been published. In 1711 was commenced a publication entitled the *Political State of Great Britain*. This work depended for its material upon information received from doorkeepers and lesser officials of Parliament. Its reports were, therefore, of little value in point of correctness or completeness. In 1736 the *Gentleman's Magazine*, edited by Edward Cave, began to give prominence to reports of the proceedings of Parliament. Persons were engaged to secretly take notes in the Houses; these notes were given to authors, who not only extended the meagre reports but virtually manufactured speeches upon the subjects outlined by the notes. The first author to take up this trade of speech-writing was Guthrie, but in 1740 Dr. Johnson became the chief writer, and he continued the work until 1743, when he was succeeded by Hawkesworth, who carried on the work for many years. The notes during this period were merely heads upon which the writers based their work, "and instead of reported speeches being those of Pulteney, Pitt, and Chesterfield, they were in fact those of Guthrie, Johnson, and Hawkesworth."

Under such circumstances, under circumstances in which Dr. Johnson, speaking of his employment, said he "took good care that the Whig

dogs should not have the best of it," it is fortunate that we have any authentic speeches of the period, particularly when orators — as in the case of Sheridan — deliberately destroyed their notes, that posterity might regard their eloquence through the golden mist of tradition.

It is unquestionably true that many orators not only did not suffer at the hands of the reporters, but, as in the case of the friends whose speeches Johnson reported, the oratorical effect was given by the editor. The situation in England was not unique; it has been paralleled in every country; we may easily recall that Henry J. Raymond's reports of Webster's speeches added much to the orator's reputation, and that Webster, as many orators before him, objected to verbatim reports.

The men whose great ability was to make the eighteenth century renowned for oratorical progress and display may be segregated into two classes. The first began with the Hanoverian dynasty, the second marked its close. In importance the men of the last years of the seventeenth century are to be ranked below that succession of master orators of whom the first was Chatham. Yet in any other comparison their claim to preëminence would not have been seriously disputed, for their ranks included such great public speakers as Shaftesbury, Somers, Halifax, Bellhaven, Chesterfield, Wyndham, Carteret, and Pulteney. The two greatest

orators were Bolingbroke — of whose orations not a page remains — and Walpole, whose extant speeches are of more than doubtful authenticity.

Walpole was the forerunner of the most powerful group of orators that England has ever possessed. These men number more than a score, and each is entitled to exhaustive illustration and minute study. We are precluded by lack of space from reviewing the activities of these men. An attempt will, however, be made in the next succeeding volume of this series, to treat the influence of the group upon the development of oratory.

FRANCIS BACON

Francis Bacon was born in London in 1561, and as a boy displayed remarkable powers of intelligence, as well as a precocious sedateness. In 1574 he went to Cambridge, but was not satisfied with the course of study there pursued, so did not remain for a degree. He resided in Paris until 1580, when he returned to England and practised law, but at first without much success. The Earl of Essex, however, became his patron and presented him with an estate worth two thousand pounds a year — a benefit which Bacon subsequently repaid by vehemently accusing Essex of conspiracy. In 1590 Bacon was made Counsel Extraordinary to the Queen, and shortly after entered Parliament. In 1604 he was made salaried counsel to James I., and some years later became Attorney-General, in which office he displayed at once his subserviency and his brilliancy. In 1619 he was made Lord Chancellor, with the title of Lord Verulam. In this position he abused his judicial functions by every species of venality, resulting in his being in 1621 convicted, on his own confession, of twenty-three acts of corruption. He was heavily sentenced, but the sentence was not carried out; but although he was invited to resume his seat in Parliament he declined, and thenceforth devoted himself to science and literature, in which he had proved himself so marvellous a genius. He died in 1626, leaving a reputation well summed up by Pope in the line,

"The wisest, brightest, meanest of mankind."

Considered only as an orator, Bacon is noted more for logical reasoning than for profundity or imagery. He is rather a pleasant than a forceful speaker, lacking that vehemence which sways the audience, and there is little evidence of sincerity in his speeches, which throughout bear tokens of artificiality.

Bacon was the author of numerous philosophical and scientific treatises, published in collected form. The best biography of him is Spedding's *Letters and Life of Lord Bacon* (7 vols., 1862–74), and an interesting account of him is found in Campbell's *Lives of the Lord Chancellors*.

ON THE UNDERTAKERS

Sir Francis Bacon.

The following speech was made by Sir Francis Bacon in the House of Commons of the Second Parliament of James I. The title of the speech refers to the attempt made by members of the court party to return to Parliament persons favorable to the King's interest. Those who *undertook* this plan of reconciling Crown and Parliament were not only unsuccessful but were bitterly attacked by the opposition, who regarded their privileges as endangered. Sir Francis Bacon defended the undertakers. The speech is an excellent example of Bacon's oratorical style, being at once propitiatory and subtly persuasive.

MR. SPEAKER: I have been hitherto silent in this matter of undertaking, wherein, as I perceive, the House is much enwrapped.

First, because, to be plain with you, I did not well understand what it meant, or what it was; and I do not love to offer at that, that I do not thoroughly conceive. That private men should undertake for the Commons of England! why, a man might as well undertake for the four elements. It is a thing so giddy, and so vast, as cannot enter into the brain of a sober man: and especially in a new Parliament, when it was impossible to know who should be of the Parliament; and when all men, that know never so

little the constitution of this House, do know it to be so open to reason, as men do not know when they enter into these doors what mind themselves will be of, until they hear things argued and debated. Much less can any man make a policy of assurance, what ship shall come safe home into the harbor in these seas. I had heard of undertakings in several kinds. There were undertakers for the plantations of Derry and Coleraine in Ireland, the better to command and bridle those parts. There were, not long ago, some undertakers for the North-West Passage: and now there are some undertakers for the project of dyed and dressed cloths; and, in short, every novelty useth to be strengthened and made good by a kind of undertaking; but for the ancient Parliament of England, which moves in a certain manner and sphere, to be undertaken, it passes my reach to conceive what it should be. Must we be all dyed and dressed, and no pure whites amongst us? Or must there be a new passage found for the King's business by a point of the compass that was never sailed by before? Or must there be some forts built in this House that may command and contain the rest? Mr. Speaker, I know but two forts in this House which the King ever hath: the fort of affection, and the fort of reason; the one commands the hearts, and the other commands the heads; and others I know

Francis Bacon.

From an engraving by S. Freeman.

none. I think Æsop was a wise man that described the nature of the fly that sat upon the spoke of the chariot wheel, and said to herself, "What a dust do I raise!" So, for my part, I think that all this dust is raised by light rumors and buzzes, and not upon any solid ground.

The second reason that made me silent was because this suspicion and rumor of undertaking settles upon no person certain. It is like the birds of paradise that they have in the Indies, that have no feet; and therefore they never light upon any place, but the wind carries them away; and such a thing do I take this rumor to be.

And lastly, when that the King had in his two several speeches freed us from the main of our fears, in affirming directly that there was no undertaking to him, and that he would have taken it to be no less derogation to his own majesty than to our merits, to have the acts of his people transferred to particular persons; that did quiet me thus far, that these vapors were not gone up to the head, howsoever they might glow and estuate in the body.

Nevertheless, since I perceive that this cloud still hangs over the House, and that it may do hurt, as well in fame abroad as in the King's ear, I resolved with myself to do the part of an honest voice in this House to counsel you what I think to be for the best.

Wherein, first, I will speak plainly of the pernicious effects of the accident of this bruit and opinion of undertaking, towards particulars, towards the House, towards the King, and towards the people.

Secondly, I will tell you, in mine opinion, what undertaking is tolerable, and how far it may be justified with a good mind; and on the other side, this same ripping up of the question of undertakers, how far it may proceed from a good mind, and in what kind it may be thought malicious and dangerous.

Thirdly, I will give you my poor advice, what means there are to put an end to this question of undertaking; not falling for the present upon a precise opinion, but breaking it; how many ways there be by which you may get out of it, and leaving the choice of them to a debate at the committee.

And lastly, I will advise you how things are to be handled at the committee, to avoid distraction and loss of time.

For the first of these, I can say to you but as the Scripture sayeth, "Si invicem mordetis, ab invicem consumemini"; if ye fret and gall one another's reputation, the end will be that every man shall go hence, like coin cried down, of less price than he came hither. If some shall be thought to fawn upon the King's business openly,

and others to cross it secretly, some shall be thought practicers that would pluck the cards, and others shall be thought papists that would shuffle the cards; what a misery is this that we should come together to fool one another, instead of procuring the public good!

And this ends not in particulars, but will make the whole House contemptible; for now I hear men say, that this question of undertaking is the predominant matter of this House. So that we are now according to the parable of Jotham in the case of the trees of the forest, that when question was, whether the vine should reign over them, that might not be: and whether the olive should reign over them, that might not be; but we have accepted the bramble to reign over us. For it seems that the good vine of the King's graces, that is not so much in esteem; and the good oil, whereby we should salve and relieve the wants of the estate and crown, that is laid aside too; and this bramble of contention and emulation, this Abimelech, which, as was truly said by an understanding gentleman, is a bastard, for every fame that wants a head is "filius populi," this must reign and rule amongst us.

Then for the King, nothing can be more opposite, "ex diametro," to his ends and hopes, than this; for you have heard him profess like a King, and like a gracious King, that he doth not

so much respect his present supply, as this demonstration that the people's hearts are more knit to him than before. Now, then, if the issue shall be this, that whatsoever shall be done for him shall be thought to be done but by a number of persons that shall be labored and packed, this will rather be a sign of diffidence and alienation than of a natural benevolence and affection in his people at home; and rather matter of disreputation, than of honor abroad. So that, to speak plainly to you, the King were better call for a new pair of cards, than play upon these if they be packed.

And then for the people, it is my manner ever to look beyond a Parliament as upon a Parliament; and if they abroad shall think themselves betrayed by those that are their deputies and attorneys here, it is true we may bind them and conclude them, but it will be with such murmur and insatisfaction as I would be loath to see.

These things might be dissembled, and so things left to bleed inwards; but that is not the way to cure them. And therefore I have searched the sore, in hope that you will endeavor the medicine.

But this to do more thoroughly, I must proceed to my second part, to tell you clearly and distinctly what is to be set on the right hand, and what on the left, in this business.

First, if any man hath done good offices to advise the King to call a Parliament, and to increase

the good affection and confidence of his Majesty towards his people ; I say, that such a person doth rather merit well, than commit any error. Nay, further, if any man hath, out of his own good mind, given an opinion touching the minds of the Parliament in general : how it is probable they are like to be found, and that they will have a due feeling of the King's wants, and will not deal drily or illiberally with him : this man, that doth but think of other men's minds as he finds his own, is not to be blamed. Nay, further, if any man hath coupled this with good wishes and propositions, that the King do comfort the hearts of his people, and testify his own love to them, by filing off the harshness of his prerogative, retaining the substance and strength ; and to that purpose, like the good householder in the Scripture, that brought forth old store and new, hath revolved the petitions and propositions of the last Parliament, and added new ; I say, this man hath sown good seed ; and he that shall draw him into envy for it, sows tares. Thus much of the right hand. But on the other side, if any shall mediately or immediately infuse into his Majesty, or to others, that the Parliament is, as Cato said of the Romans, "like sheep, that a man were better drive a flock of them than one of them" : and however they may be wise men severally, yet in this assembly they are guided by some few, which if they be made and assured, the

rest will easily follow: this is a plain robbery of the King of honor, and his subjects of thanks, and it is to make the Parliament vile and servile in the eyes of their sovereign; and I count it no better than a supplanting of the King and kingdom. Again, if a man shall make this impression, that it shall be enough for the King to send us some things of show that may serve for colors, and let some eloquent tales be told of them, and that will serve "ad faciendum populum"; any such person will find that this House can well skill of false lights, and that it is no wooing tokens, but the true love already planted in the breasts of the subjects, that will make them do for the King. And this is my opinion touching those that may have persuaded a Parliament. Take it on the other side, for I mean in all things to deal plainly, if any man hath been diffident touching the call of a Parliament, thinking that the best means were, first, for the King to make his utmost trial to subsist of himself, and his own means; I say, an honest and faithful heart might consent to that opinion, and the event, it seems, doth not greatly discredit it hitherto. Again, if any man shall have been of opinion that it is not a particular party that can bind the House; nor that it is not shows or colors can please the House; I say, that man, though his speech tend to discouragement, yet it is coupled with providence. But, by your leave, if any man,

since the Parliament was called, or when it was in speech, shall have laid plots to cross the good will of the Parliament to the King, by possessing them that a few shall have the thanks, and that they are, as it were, bought and sold and betrayed; and that that which the King offers them are but baits prepared by particular persons; or have raised rumors that it is a packed Parliament, to the end nothing may be done, but that the Parliament may be dissolved, as gamesters use to call for new cards, when they mistrust a pack: I say, these are engines and devices naught, malign, and seditious.

Now for the remedy: I shall rather break the matter, as I said in the beginning, than advise positively. I know but three ways. Some message of declaration to the King; some entry or protestation amongst ourselves; or some strict and punctual examination. As for the last of these, I assure you I am not against it, if I could tell where to begin, or where to end. For certainly I have often seen it, that things when they are in smother trouble more than when they break out. Smoke blinds the eyes, but when it blazeth forth into flame it gives light to the eyes. But then if you fall to an examination, some person must be charged, some matter must be charged; and the manner of that matter must be likewise charged; for it may be in a good fashion, and it may be in a bad, in as much difference as between black and white: and then

how far men will ingenuously confess, how far they will politically deny, and what we can make and gather upon their confession, and how we shall prove against their denial; it is an endless piece of work, and I doubt that we shall grow weary of it.

For a message to the King, it is the course I like best, so it be carefully and considerately handled: for if we shall represent to the King the nature of this body as it is, without the veils or shadows that have been cast upon it, I think we shall do him honor, and ourselves right.

For anything that is to be done amongst ourselves, I do not see much gained by it, because it goes no farther than ourselves; yet if anything can be wisely conceived to that end, I shall not be against it; but I think the purpose of it is fittest to be, rather that the House conceives that all this is but a misunderstanding, than to take knowledge that there is indeed a just ground, and then to seek, by a protestation, to give it a remedy. For protestations, and professions, and apologies, I never found them very fortunate; but they rather increase suspicion than clear it.

Why, then, the last part is, that these things be handled at the committee seriously and temperately; wherein I wish that these four degrees of questions were handled in order.

First, whether we shall do anything at all in it, or pass by it, and let it sleep?

Secondly, whether we shall enter into a particular examination of it ?

Thirdly, whether we shall content ourselves with some entry or protestation among ourselves ?

And fourthly, whether we shall proceed to a message to the King; and what ?

Thus I have told you my opinion. I know it had been more safe and politic to have been silent; but it is perhaps more honest and loving to speak. The old verse is "Nam, nulli tacuisse nocet, nocet esse locutum." But, by your leave, David saith, "Silui a bonis, et dolor meus renovatus est." When a man speaketh, he may be wounded by others; but if he hold his peace from good things, he wounds himself. So I have done my part, and leave it to you to do that which you shall judge to be the best.

SIR JOHN ELIOT

Sir John Eliot was born in April, 1590, at Port Eliot, a fishing village in Cornwall, his father being a gentleman of means and influence. At the age of fifteen he entered Exeter College, Oxford, where he remained for three years, leaving without taking a degree. After a short course of study at the Inns of Court, he travelled for a time through Europe with George Villiers, afterward Duke of Buckingham. In 1614, at the early age of twenty-two, he was elected to Parliament, and in 1618 was appointed Vice-Admiral for Devon, his energy, courage, and fertility of resource finding ample scope in this position. He sat in the first three Parliaments of Charles I., his first recorded speech being against the royal interference in matters parliamentary. He soon became one of the recognized leaders of the Opposition, which numbered such men as Pym, Hampden, Sydney, and Coke. For this he was well fitted, being devoid of personal fear, energetic and even impulsive in nature, and thoroughly acquainted with the corruption of the court. He devoted his energies to exposing and redressing abuses and exactions, and was especially prominent in procuring the Petition of Right and the impeachment of Buckingham. From these causes he became the particular object of the vengeance of the King and his ministers, and was again and again illegally imprisoned for alleged treasonable utterances, and, while others were soon released, he remained confined for long periods. Under this unexampled severity his health broke down, and he finally died at the Tower in November, 1632. Rancor followed him to the grave, the petition of his sons to the King that they might bury him in Port Eliot with his ancestors being refused.

His oratorical style was animated and earnest. His arguments were clear and well arranged, and his mastery of detail was exceptional, his diction pure and rich, and his declamation brilliant and powerful.

The most important of his works extant is *Negotium Posterorum,* as he calls it, or an account of the First Parliament of Charles I. Besides this are, *An Apology for Socrates* — a defence of his own conduct — and a small work of philosophical meditations, called *The Monarchy of Man.* His life has been admirably written by John Forster in *The Statesmen in the Commonwealth of England.*

ON THE PETITION OF RIGHT

Sir John Eliot.

The "Petition of Right," second only to Magna Charta in importance in the constitutional history of England, was framed on the 27th of May, 1628, and duly presented to the King. It sought to establish the prerogatives of Parliament as against the royal invasions thereupon, and its provisions were for the benefit of the people. Charles replied on June 2d, but his answer was unsatisfactory, being evasive of promise or assent, and on June 3d Sir John Eliot made the speech which follows. Eliot had no desire to attack the King; he directed his energies to the reprobation of the Duke of Buckingham, to whom he attributed an evil influence over Charles. The speech, indeed, is dignified and moderate throughout, and is an excellent example of repressed fervor and honest conviction. This speech was mainly instrumental in procuring the ratification of the Petition, Charles assenting to it on June 7th. The King cherished the utmost rancor against Eliot for his audacity in daring to speak with such freedom, and Eliot reaped the result of his boldness in the imprisonment which brought about his death.

MR. SPEAKER,—We sit here as the great Council of the King, and, in that capacity, it is our duty to take into consideration the state and affairs of the kingdom, and, when there is occasion, to give a true representation of them by way of counsel and advice, with what we conceive necessary or expedient to be done.

In this consideration, I confess many a sad thought hath affrighted me, and that not only in

respect of our dangers from abroad (which yet I know are great, as they have often been pressed and dilated to us), but in respect of our disorders here at home, which do enforce those dangers and by which they are occasioned. For I believe I shall make it clear to you that both at first the cause of these dangers were our disorders, and our disorders now are yet our greatest dangers—that not so much the potency of our enemies, as the weakness of ourselves, doth threaten us: so that the saying of one of the Fathers may be assumed by us, "Non tam potentia sua quam negligentia nostra" (not so much by their power as by our neglect). Our want of true devotion to Heaven—our insincerity and doubling in religion—our want of councils—our precipitate actions—the insufficiency or unfaithfulness of our generals abroad—the ignorance or corruption of our ministers at home—the impoverishing of the sovereign—the oppression and depression of the subject—the exhausting of our treasures—the waste of our provisions—consumption of our ships—destruction of our men—these make the advantage to our enemies, not the reputation of their arms; and if in these there be not reformation, we need no foes abroad: Time itself will ruin us.

To show this more fully, I believe you will hold it necessary that what I say should not seem an aspersion on the State or imputation on the

Sir John Eliot.

After the original painting at Port Eliot.

Government, as I have known such motives misinterpreted. But far is this from me to propose, who have none but clear thoughts of the excellency of the King; nor can I have other ends than the advancement of his Majesty's glory. I shall desire a little of your patience extraordinary as I lay open the particulars, which I shall do with what brevity I may, answerable to the importance of the cause and the necessity now upon us; yet with such respect and observation to the time, as I hope it shall not be thought troublesome.

For the first, then, our insincerity and doubling in religion is the greatest and most dangerous disorder of all others. This hath never been unpunished; and of this we have many strong examples of all States and in all times to awe us. What testimony doth it want? Will you have authority of books? Look on the collections of the Committee for Religion; there is too clear an evidence. See there the commission procured for composition with the Papists of the North! Mark the proceedings thereupon, and you will find them to little less amounting than a toleration in effect; the slight payments, and the easiness of them, will likewise show the favor that is intended. Will you have proofs of men? Witness the hopes, witness the presumptions, witness the reports of all the Papists generally. Observe the dispositions of commanders, the trust of officers, the

confidence in secretaries to employments in this kingdom, in Ireland, and elsewhere. These will all show that it hath too great a certainty.' And to this add but the incontrovertible evidence of that All-powerful Hand, which we have felt so sorely, that gave it full assurance; for as the heavens oppose themselves to our impiety, so it is we that first opposed the heavens.

For the second, our want of councils, that great disorder in a State under which there can not be stability. If effects may show their causes (as they are often a perfect demonstration of them), our misfortunes, our disasters, serve to prove our deficiencies in council and the consequences they draw with them. If reason be allowed in this dark age, the judgment of dependencies and foresight of contingencies in affairs do confirm my position. For, if we view ourselves at home, are we in strength, are we in reputation, equal to ou ancestors? If we view ourselves abroad, are our friends as many? are our enemies no more? Do our friends retain their safety and possessions? Do not our enemies enlarge themselves, and gain from them and us? To what council owe we the loss of the Palatinate, where we sacrificed both our honor and our men sent thither, stopping those greater powers appointed for the service, by which it might have been defended? What council gave direction to the late action, whose

wounds are yet bleeding—I mean the expedition to Rhé, of which there is yet so sad a memory in all men? What design for us, or advantage to our State, could that impart?

You know the wisdom of your ancestors, and the practice of their times, how they preserved their safeties. We all know, and have as much cause to doubt as they had, the greatness and ambition of the kingdom, which the Old World would not satisfy. Against this greatness and ambition, we likewise know the proceedings of the princess, that never-to-be-forgotten, excellent Queen Elizabeth, whose name, without admiration, falls not into mention even with her enemies. You know how she advanced herself, and how she advanced the nation in glory and in state; how she depressed her enemies, and how she upheld her friends; how she enjoyed a full security, and made those our scorn who now are made our terror.

Some of the principles she built on were these: and if I mistake, let reason and our statesmen contradict me.

First, to maintain, in what she might, a unity in France, that the kingdom, being at peace with itself, might be a bulwark to keep back the power of Spain by land.

Next, to preserve an amity and league between that State and us, that so we might come in aid

of the Low Countries, and by that means receive their ships and help them by sea.

This triple cord, so working between France, the States, and England, might enable us, as occasion should require, to give assistance unto others. And by this means, as the experience of that time doth tell us, we were not only free from those fears that now possess and trouble us, but then our names were fearful to our enemies. See now what correspondency our action had with this. Try our conduct by these rules. It did induce, as a necessary consequence, a division in France between the Protestants and their King, of which there is too woful and lamentable experience. It hath made an absolute breach between that State and us, and so entertains us against France, and France in preparation against us, that we have nothing to promise to our neighbors, nay, hardly to ourselves. Next, observe the time in which it was attempted, and you shall find it not only varying from those principles, but directly contrary and opposite to those ends; and such as, from the issue and success, rather might be thought a conception of Spain than begotten here with us.

You know the dangers of Denmark, and how much they concern us; what in respect of our alliance and the country; what in the importance of the Sound; what an advantage to our enemies

the gain thereof would be! What loss, what prejudice to us by this disunion; we breaking in upon France, France enraged by us, and the Netherlands at amazement between both! Neither could we intend to aid that luckless King, whose loss is our disaster.

Can those that express their trouble at the hearing of these things, and have so often told us in this place of their knowledge in the conjunctures and disjunctures of affairs—can they say they advised in this? Was this an act of council, Mr. Speaker? I have more charity than to think it; and unless they make confession of it themselves, I cannot believe it.

For the next, the insufficiency and unfaithfulness of our generals (that great disorder abroad), what shall I say? I wish there were not cause to mention it; and, but for the apprehension of the danger that is to come, if the like choice hereafter be not prevented, I could willingly be silent. But my duty to my Sovereign, my service to this House, and the safety and honor of my country, are above all respects; and what so nearly trenches to the prejudice of these, must not, shall not be forborne.

At Cadiz, then, in that first expedition we made, when we arrived and found a conquest ready—the Spanish ships, I mean, fit for the satisfaction of a voyage, and of which some of the chiefest

then there themselves have since assured me that the satisfaction would have been sufficient, either in point of honor or in point of profit — why was it neglected? Why was it not achieved, it being granted on all hands how feasible it was?

Afterward, when, with the destruction of some of our men and the exposure of others, who (though their fortune since has not been such) by chance came off safe — when, I say, with the loss of our serviceable men, that serviceable fort was gained, and the whole army landed, why was there nothing done? Why was there nothing attempted? If nothing was intended, wherefore did they land? If there was a service, wherefore were they shipped again? Mr. Speaker, it satisfies me too much in this case — when I think of their dry and hungry march into that drunken quarter (for so the soldiers termed it), which was the period of their journey — that divers of our men being left as a sacrifice to the enemy, that labor was at an end.

For the next undertaking, at Rhé, I will not trouble you much; only this, in short. Was not that whole action carried against the judgment and opinion of those officers that were of the council? Was not the first, was not the last, was not all in the landing—in the intrenching—in the continuance there—in the assault—in the retreat—without their assent? Did any advice take place of such as

were of the council? If there should be made a particular inquisition thereof, these things will be manifest and more. I will not instance the manifesto that was made, giving the reason of these arms; nor by whom, nor in what manner, nor on what grounds it was published, nor what effects it hath wrought, drawing, as it were, almost the whole world into league against us. Nor will I mention the leaving of the wines, the leaving of the salt, which were in our possession, and of a value, as it is said, to answer much of our expense. Nor will I dwell on that great wonder (which no Alexander or Cæsar ever did), the enriching of the enemy by courtesies when our soldiers wanted help; nor the private intercourse and parleys with the fort, which were continually held. What they intended may be read in the success; and upon due examination thereof, they would not want their proofs.

For this last voyage to Rochelle, there need no observations, it is so fresh in memory; nor will I make an inference or corollary on all. Your own knowledge shall judge what truth or what sufficiency they express.

For the next, the ignorance and corruption of our ministers, where can you miss of instances? If you survey the court, if you survey the country; if the Church, if the city be examined; if you observe the bar, if the bench, if the ports, if the

shipping, if the land, if the seas—all these will render you variety of proofs; and that in such measure and proportion as show the greatness of our disease to be such that, if there be not some speedy application for remedy, our case is almost desperate.

Mr. Speaker, I fear I have been too long in these particulars that are past, and am unwilling to offend you; therefore in the rest I shall be shorter; and as to that which concerns the impoverishing of the King, no other argument will I use than such as all men grant.

The exchequer, you know, is empty, and the reputation thereof gone; the ancient lands are sold; the jewels pawned; the plate engaged; the debts still great; almost all charges, both ordinary and extraordinary, borne up by projects! What poverty can be greater? What necessity so great? What perfect English heart is not almost dissolved into sorrow for this truth?

For the oppression of the subject, which, as I remember, is the next particular I proposed, it needs no demonstration. The whole kingdom is a proof; and for the exhausting of our treasures, that very oppression speaks it. What waste of provisions, what consumption of ships, what destruction of our men there hath been; witness the expedition to Algiers—witness that with Mansfeldt—witness that to Cadiz—witness the next—witness

that to Rhé—witness the last (I pray God we may never have more such witnesses) — witness, likewise, the Palatinate — witness Denmark —witness the Turks —witness the Dunkirkers — witness all! What losses we have sustained! How we are impaired in munitions, in ships, in men!

It is beyond contradiction that we were never so much weakened, nor ever had less hope how to be restored.

These, Mr. Speaker, are our dangers, these are they who do threaten us; and these are, like the Trojan horse, brought in cunningly to surprise us. In these do lurk the strongest of our enemies, ready to issue on us; and if we do not speedily expel them, these are the signs, these the invitations to others! These will so prepare their entrance that we shall have no means left of refuge or defence; for if we have these enemies at home, how can we strive with those that are abroad? If we be free from these, no other can impeach us. Our ancient English virtue (like the old Spartan valor), cleared from these disorders — our being in sincerity of religion and once made friends with Heaven; having maturity of councils, sufficiency of generals, incorruption of officers, opulency in the King, liberty in the people, repletion in treasure, plenty of provisions, reparation of ships, preservation of men—our ancient English virtue, I say, thus rectified, will secure us; and, unless there be a

speedy reformation in these, I know not what hopes or expectations we can have.

These are the things, Sir, I shall desire to have taken into consideration : that as we are the great council of the kingdom, and have the apprehension of these dangers, we may truly represent them unto the King ; which I conceive we are bound to do by a triple obligation — of duty to God, of duty to his Majesty, and of duty to our country.

And therefore I wish it may so stand with the wisdom and judgment of the House, that these things may be drawn into the body of a remonstrance, and in all humility expressed, with a prayer to his Majesty that, for the safety of himself, for the safety of the kingdom, and for the safety of religion, he will be pleased to give us time to make perfect inquisition thereof, or to take them into his own wisdom, and there give them such timely reformation as the necessity and justice of the case doth import.

And thus, Sir, with a large affection and loyalty to his Majesty, and with a firm duty and service to my country, I have suddenly (and it may be with some disorder) expressed the weak apprehensions that I have ; wherein if I have erred, I humbly crave your pardon, and so submit myself to the censure of the House.

THOMAS WENTWORTH, EARL OF STRAFFORD

Thomas Wentworth was the son of Sir William Wentworth, and was born in London in 1593. He was educated at Cambridge, and in 1614 represented Yorkshire in the "Addled Parliament." He was connected with the popular party, but was not in sympathy with many of their measures, being more inclined to moderation than were the leaders. Owing to his warm opposition of Buckingham, he was appointed sheriff of Yorkshire to remove his influence from the House. He returned in 1628, became leader of his party for a time, but came into collision with Eliot and Coke and was defeated. He was made successively Lord Wentworth, Viscount, and President of the Council of the North, the King being anxious to win him to the royal cause. In his speech made at York he outlined his future policy of establishing the utmost prerogatives of the Crown, and when there came the hopeless breach between the King and the Commons, Wentworth joined the court party, as a privy councillor. As Lord-lieutenant for Ireland he did his utmost to render absolute the rule of the King, and was finally impeached for high treason by the Parliament. This charge was abandoned, but a bill of attainder was passed, and he was executed on May 12, 1641.

Strafford was choleric by nature, and this shows in many of his speeches. Yet his language was as a rule easy and flowing, though somewhat lacking in strength and conviction. His defence is sustained on a high pitch throughout, being dignified and powerful.

The most appreciative account of the Earl of Strafford is to be found in C. A. Goodrich's *British Eloquence* (1852), Harper Bros., New York.

DEFENCE

[Selection.] *Earl of Strafford.*

Upon the impeachment of the Earl of Strafford for high treason, the House of Commons found itself confronted with grave difficulties. The leaders in the action had to propound in justification a doctrine—that of constructive treason—which was hardly to be looked for from the upholders of civil liberty. Again, treason against the State was then unknown as a charge ; the King alone was the object of treasonable acts. True, it was held that the monarch was representative of the State ; but this was a new doctrine, and lacked precedent. Of all these defects Strafford, in his defence, took full advantage. That he had been guilty of acts—or at least suggestions—against the liberties of the people could not be denied ; but he claimed that he was guilty of no treason, having always served to his best powers the interests of the King. His defence is an admirable combination of simplicity, dignity, and power, and these attributes, together with its purity and elegance of diction and dexterity of argument, render it a brilliant example of pleading. At times, especially at its close, it rises to a high pitch of eloquence. Yet it did not avail to save him from his fate, and he was executed.

MY Lords : This day I stand before you charged with high treason. The burden of the charge is heavy, yet far the more so because it hath borrowed the authority of the House of Commons. If they were not interested, I might expect a no less easy, than I do a safe, issue. But let neither my weakness plead my innocence, nor their power my guilt. If your Lordships will conceive of my defences, as they are in themselves,

without reference to either party — and I shall endeavor so to present them — I hope to go hence as clearly justified by you, as I now am in the testimony of a good conscience by myself.

My Lords, I have all along, during this charge, watched that poisoned arrow of treason which some men would fain have feathered in my heart; but, in truth it has not been my quickness to discover any such evil yet within my breast, though now, perhaps, by sinister information sticking to my clothes.

They tell me of a two fold treason, one against the statute, another by the common law; this direct, that consecutive; this individual, that accumulative; this in itself, that by way of construction.

As to this charge of treason, I must and do acknowledge that if I had the least suspicion of my own guilt I would save your Lordships the pains. I would cast the first stone. I would pass the first sentence of condemnation against myself. And whether it be so or not, I now refer to your Lordships' judgment and deliberation. You, and you only, under the care and protection of my gracious master, are my judges. Under favor, none of the Commons are my peers, nor can they be my Judges. I shall ever celebrate the providence and wisdom of your noble ancestors, who have put the keys of life and death, so far as

Thomas Wentworth, Earl of Strafford.

From the painting by Anthony Van Dyke.

concerns you and your posterity, into your own hands. None but your own selves, my Lords, know the rate of your noble blood: none but yourselves must hold the balance in disposing of the same.

I shall now proceed in repeating my defences as they are reducible to the two main points of treason. And,

For treason against the statute, which is the only treason in effect, there is nothing alleged for that but the fifteenth, twenty-second, and twenty-seventh articles.

As to the other kind, viz., constructive treason, or treason by way of accumulation; to make this out, many articles have been brought against me, as if in a heap of mere felonies or misdemeanors (for they reach no higher) there could lurk some prolific seed to produce what is treasonable! But, my Lords, when a thousand misdemeanors will not make one felony, shall twenty-eight misdemeanors be heightened into treason?

I pass, however, to consider these charges, which affirm that I have designed the overthrow both of religion and of the State.

The first charge seems to be used rather to make me odious than guilty; for there is not the least proof alleged — nor could there be any — concerning my confederacy with the popish faction. Never was a servant in authority under my lord and master more hated and maligned by these

men than myself, and that for an impartial and strict execution of the laws against them; for observe, my Lords, that the greater number of the witnesses against me, whether from Ireland or from Yorkshire, were of that religion. But for my own resolution, I thank God I am ready every hour of the day to seal my dissatisfaction to the Church of Rome with my dearest blood.

Give me leave, my Lords, here to pour forth the grief of my soul before you. These proceedings against me seem to be exceedingly rigorous, and to have more of prejudice than equity — that, upon a supposed charge of hypocrisy or errors in religion, I should be made so odious to three kingdoms. A great many thousand eyes have seen my accusations, whose ears will never hear that, when it came to the upshot, those very things were not alleged against me! Is this fair dealing among Christians? But I have lost nothing by that. Popular applause was ever nothing in my conceit. The uprightness and integrity of a good conscience ever was, and ever shall be, my continual feast; and if I can be justified in your Lordships' judgments from this great imputation — as I hope I am, seeing these gentlemen have thrown down the bucklers — I shall account myself justified by the whole kingdom, because absolved by you, who are the better part, the very soul and life, of the kingdom.

As for my designs against the State, I dare

plead as much innocency as in the matter of religion. I have ever admired the wisdom of our ancestors, who have so fixed the pillars of this monarchy that each of them keeps a due proportion and measure with the others—have so admirably bound together the nerves and sinews of the State that the straining of any one may bring danger and sorrow to the whole economy. The prerogatives of the Crown and the propriety of the subject have such natural relations that this takes nourishment from that, and that foundation and nourishment from this. And so, as in the lute, if any one string be wound up too high or too low, you have lost the whole harmony; so here the excess of prerogative is oppression, of pretended liberty in the subject is disorder and anarchy. The prerogative must be used as God doth His omnipotence, upon extraordinary occasions; the laws must have place at all other times. As there must be prerogative because there must be extraordinary occasions, so the proprietory of the subject is ever to be maintained, if it go in equal pace with the other. They are fellows and companions that are, and ever must be, inseparable in a well-ordered kingdom; and no way is so fitting, so natural, to nourish and entertain both, as the frequent use of Parliaments, by which a commerce and acquaintance is kept up between the King and his subjects.

These thoughts have gone along with me these

fourteen years of my public employments, and shall, God willing, go with me to the grave! God, his Majesty, and my own conscience, yea, and all of those who have been most accessary to my inward thoughts, can bear me witness that I ever did inculcate this, that the happiness of a kingdom doth consist in a just poise of the King's prerogative and the subject's liberty, and that things could never go well till these went hand in hand together. I thank God for it, by my master's favor, and the providence of my ancestors, I have an estate which so interests me in the Commonwealth, that I have no great mind to be a slave, but a subject. Nor could I wish the cards to be shuffled over again in hopes to fall upon a better set; nor did I ever nourish such base and mercenary thoughts as to become a pander to the tyranny and ambition of the greatest man living. No! I have, and ever shall, aim at a fair but bounded liberty; remembering always that I am a freeman, yet a subject — that I have rights, but under a monarch. It has been my misfortune, now when I am gray-headed, to be charged by the mistakers of the times, who are so highly bent that all appears to them to be in the extreme for monarchy which is not for themselves. Hence it is that designs, words, yea, intentions, are brought out as demonstrations of my misdemeanors. Such a multiplying-glass is a prejudicate opinion!

The articles against me refer to expressions and actions — my expressions either in Ireland or in England, my actions either before or after these late stirs.

Some of the expressions referred to were uttered in private, and I do protest against their being drawn to my injury in this place. If, my Lords, words spoken to friends in familiar discourse, spoken at one's table, spoken in one's chamber, spoken in one's sick-bed, spoken, perhaps, to gain better reason, to gain one's self more clear light and judgment by reasoning — if these things shall be brought against a man as treason, this (under favor) takes away the comfort of all human society. By this means we shall be debarred from speaking — the principal joy and comfort of life — with wise and good men, to become wiser and better ourselves. If these things be strained to take away life, and honor, and all that is desirable, this will be a silent world! A city will become a hermitage, and sheep will be found among a crowd and press of people! No man will dare to impart his solitary thoughts or opinions to his friend and neighbor!

Other expressions have been urged against me, which were used in giving counsel to the King. My Lords, those words were not wantonly or unnecessarily spoken, or whispered in a corner; they were spoken in full council, when, by the duty of

my oath, I was obliged to speak according to my heart and conscience in all things concerning the King's service. If I had forborne to speak what I conceived to be for the benefit of the King and the people, I had been perjured toward Almighty God. And for delivering my mind openly and freely, shall I be in danger of my life as a traitor? If that necessity be put upon me, I thank God by His blessing, I have learned not to stand in fear of him who can only kill the body. If the question be whether I must be a traitor to man or perjured to God, I will be faithful to my Creator. And whatsoever shall befall me from popular rage or my own weakness, I must leave it to that Almighty Being, and to the justice and honor of my judges.

My Lords, I conjure you not to make yourselves so unhappy as to disable your Lordships and your children from undertaking the great charge and trust of this Commonwealth. You inherit that trust from your fathers. You are born to great thoughts. You are nursed for the weighty employments of the kingdom. But if it be once admitted that a counsellor, for delivering his opinion with others at the council board, *candide et caste*, with candor and purity of motive, under an oath of secrecy and faithfulness, shall be brought into question, upon some misapprehension or ignorance of law — if every word that he shall speak from sincere and noble intentions shall be drawn

against him for the attaining of him, his children and posterity — I know not (under favor I speak it) any wise or noble person of fortune who will, upon such perilous and unsafe terms, adventure to be counsellor to the King. Therefore, I beseech your Lordships so to look on me, that my misfortune may not bring an inconvenience to yourselves. And though my words were not so advised and discreet or so well-weighed as they ought to have been, yet I trust your Lordships are too honorable and just to lay them to my charge as high treason. Opinions may make a heretic, but that they make a traitor I have never heard till now.

I am come next to speak of the actions which have been charged upon me.

If that one article had been proved against me, it contained more weighty matter than all the charges beside. It would not only have been treason, but villainy, to have betrayed the trust of his Majesty's army. But as the managers have been sparing, by reason of the times, as to insisting on that article, I have resolved to keep the same method, and not utter the least expression which might disturb the happy agreement intended between the two kingdoms. I only admire how I, being an incendiary against the Scots, in the twenty-third article, am become a confederate with them in the twenty-eighth article! how I could be charged for betraying Newcastle, and

also for fighting with the Scots at Newburne, since fighting against them was no possible means of betraying the town into their hands, but rather to hinder their passage thither! I never advised war any further than, in my poor judgment, it concerned the very life of the King's authority and the safety and honor of his kingdom. Nor did I ever see that any advantage could be made by a war in Scotland, where nothing could be gained but hard blows. For my part, I honor that nation, but I wish they may ever be under their own climate. I have no desire that they should be too well acquainted with the better soil of England.

My Lords, you see what has been alleged for this constructive, or rather destructive, treason. For my part, I have not the judgment to conceive that such treason is agreeable to the fundamental grounds either of reason or of law. Not of reason, for how can that be treason in the lump or mass which is not so in any of its parts? or how can that make a thing treasonable which is not so in itself? Not of law, since neither statute, common law, nor practice has from the beginning of the government ever mentioned such a thing.

It is hard, my Lords, to be questioned upon a law which cannot be shown! Where has this fire lain hid for so many years, without smoke to discover it, till it bursts forth to consume me and

my children? My Lords, do we not live under laws? and must we be punished by laws before they are made? Far better were it to live by no laws at all, but to be governed by those characters of virtue and discretion, which Nature has stamped upon us, than to put this necessity of divination upon a man, and to accuse him of a breach of law before it is a law at all! If a waterman upon the Thames split his boat by grating upon an anchor, and the same have no buoy appended to it, the owner of the anchor is to pay the loss; but if a buoy be set there, every man passes upon his own peril. Now where is the mark, where is the token set upon the crime, to declare it to be high treason?

My Lords, be pleased to give that regard to the peerage of England as never to expose yourselves to such moot points, such constructive interpretations of law. If there must be a trial of wits, let the subject matter be something else than the lives and honor of peers! It will be wisdom for yourselves and your posterity to cast into the fire these bloody and mysterious volumes of constructive and arbitrary treason, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the law and the statute, which telleth what is and what is not treason, without being ambitious to be more learned in the art of killing than our forefathers.

These gentlemen tell us that they speak in defence of the Commonwealth against my arbitrary laws. Give me leave to say it, I speak in defence of the Commonwealth against their arbitrary treason!

It is now full two hundred and forty years since any man was touched for this alleged crime to this height before myself. Let us not awaken those sleeping lions to our destruction, by taking up a few musty records that have lain by the walls for so many ages, forgotten or neglected.

My Lords, what is my present misfortune may be forever yours! It is not the smallest part of my grief that not the crime of treason, but my other sins, which are exceeding many, have brought me to this bar; and, except your Lordships' wisdom provide against it, the shedding of my blood may make way for the tracing out of yours. You, your estates, your posterity, lie at the stake.

For my poor self, if it were not for your Lordships' interest, and the interest of a saint in Heaven, who hath left me here two pledges on earth, I should never take the pains to keep up this ruinous cottage of mine. It is loaded with such infirmities, that in truth I have no great pleasure to carry it about with me any longer. Nor could I ever leave it at a fitter time than this, when I hope that the better part of the world would perhaps think that by my misfortunes I had given a testimony of my integrity to my God, my King, and

my country. I thank God I count not the afflictions of the present life to be compared to that glory which is to be revealed in the time to come!

My Lords! my Lords! my Lords! something more I had intended to say, but my voice and my spirit fail me. Only I do in all humility and submission cast myself down at your Lordships' feet, and desire that I may be a beacon to keep you from shipwreck. Do not put such rocks in your own way, which no prudence, no circumspection can eschew or satisfy but by your utter ruin.

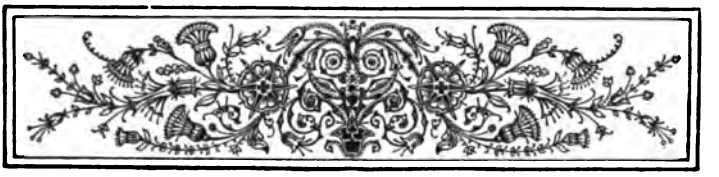
And so, my Lords, even so, with all tranquillity of mind, I submit myself to your decision. And whether your judgment in my case — I wish it were not the case of you all — be for life or for death, it shall be righteous in my eyes and shall be received with a *Te Deum laudamus,* we give God the praise.

OLIVER CROMWELL

Oliver Cromwell was born at Huntingdon in 1599. Of his boyhood little is known, but it is established that he entered Cambridge in 1616. In 1628 he became a member of Parliament, but had time to make but one speech before the House was dissolved by the King. For eleven years he lived in privacy, but in 1640 he returned to Parliament as member for Cambridge, and soon gained the ear of the House by his inherent strength of purpose. In 1642 he joined the parliamentary army, and by his successful military career rose to be the absolute dictator of the Commonwealth. He was the prime mover in the trial and condemnation of Charles I. He skilfully combined affairs of state with those of war. Created Lord Protector in 1653, he openly assumed the power which he had long wielded in reality, and thereafter ruled, practically as king, until his death in 1658.

Cromwell's speeches are like his acts, to be judged only by result. He was rough and almost uncouth in manner of diction, yet he invariably dominated his hearers, and gained his points by conviction rather than persuasion. He was as vehement and militant in the rostrum as in the field, and in neither place did he ever recognize the possibility of defeat.

Hume says of Cromwell: "The collection of all his speeches, letters, and sermons would make a great curiosity, and, with a few exceptions, might pass for one of the most nonsensical books in the world." It is now possible to judge the correctness of this verdict. The two ablest criticisms on Cromwell, from widely differing standpoints, are to be found in Thomas Carlyle's *Letters and Speeches of Oliver Cromwell,* and Forster's *Statesmen of the Commonwealth of England.* A very interesting and valuable work is *Cromwell's Place in History,* by S. R. Gardiner (Longmans, 1897.)



ON DISSOLVING PARLIAMENT

Oliver Cromwell.

The Commonwealth marked an epoch in English oratory. Words began to be more direct and stronger, looking to effect rather than form. Few speakers of that era were more successful in the former respect than was Cromwell. The speech which has been chosen is a good example of his use of words. The occasion of its delivery was one of the turbulent meetings of the House, when the opposition to the Protector was running high, and his Highness determined that his only resource lay in the dissolution of the rebellious body. The dominating characteristic of Cromwell was always strength; this was displayed to the full in his speeches, and never more than in the one which follows. Yet there is in it also a subtle justification of his conduct and a fanatic belief in his special calling that is all in character. Rude and unpolished, it is yet effective oratory; and there may be found in it the tracery of those qualities which enabled the man of the ranks to rule England as absolute monarch until his death.

MY Lords and Gentlemen of the House of Commons: I had very comfortable expectations that God would make the meeting of this Parliament a blessing; and, the Lord be my witness, I desired the carrying on the affairs of the nation to these ends! The blessing which I mean, and which we ever climbed at, was mercy, truth, righteousness and peace,—which I desired might be improved.

That which brought me into the capacity I now stand in was the Petition and Advice given me by

you, who, in reference to the ancient Constitution, did draw me to accept the place of Protector. There is not a man living can say I sought it; no, not a man nor woman treading upon English ground. But, contemplating the sad condition of these nations, relieved from an intestine war into a six or seven years' peace, I did think the nation happy therein! But to be petitioned thereunto, and advised by you to undertake such a government, a burden too heavy for any creature; and this to be done by the House that then had the legislative capacity:—certainly I did look that the same men who made the frame should make it good unto me! I can say in the presence of God, in comparison with whom we are but like poor creeping ants upon the earth, I would have been glad to have lived under my woodside, to have kept a flock of sheep rather than undertake such a government as this. But undertaking it by the Advice and Petition of you, I did look that you who had offered it unto me should make it good.

I did tell you, at a conference concerning it, that I would not undertake it, unless there might be some other persons to interpose between me and the House of Commons, who then had the power, and prevent tumultuary and popular spirits: and it was granted I should name another House. I named it of men who shall meet you wheresoever you shall go, and shake hands with you, and tell

Oliver Cromwell.

From the painting by Sir Peter Lely.

Peter Lely pinxt 1653.

O Cromwell

you it is not titles, nor lords, nor parties that they value, but a Christian and an English interest! men of your own rank and quality, who will not only be a balance unto you, but a new force added to you, while you love England and religion.

Having proceeded upon these terms;—and finding such a spirit as is too much predominant, everything being too high or too low; where virtue, honesty, piety, and justice are omitted:—I thought I had been doing which was my duty, and thought it would have satisfied you! But if everything must be too high or too low, you are not to be satisfied.

Again, I would not have accepted of the government unless I knew there would be a just accord between the governor and governed; unless they would take an oath to make good what the Parliament's Petition and Advice advised me unto! Upon that I took an oath, and they took another oath upon their part answerable to mine; and did not every one know upon what condition he swore? God knows, I took it upon the conditions expressed in the Act of Government! And I did think we had been upon a foundation, and upon a bottom; and thereupon I thought myself bound to take it, and to be "advised by the two Houses of Parliament." And we standing unsettled till we arrived at that, the consequences would necessarily have been confusion, if that had not been settled.

Yet there were not constituted "Hereditary Lords," nor "Hereditary Kings"; the power consisteth in the two Houses and myself. I do not say that was the meaning of your oath to you. That were to go against my own principles, to enter upon another man's conscience. God will judge between you and me! If there has been in you any intention of settlement, you would have settled upon this basis, and have offered your judgment and opinion.

God is my witness; I speak it; it is evident to all the world and people living, that a new business hath been seeking in the army against this actual settlement made by your consent. I do not speak to these gentlemen, or lords, or whatsoever you will call them; I speak not this to them, but to you. You advised me to come into this place, to be in a capacity by your advice. Yet instead of owning a thing, some must have I know not what; and you have not only disjointed yourselves but the whole nation, which is in likelihood of running into more confusion in these fifteen or sixteen days that you have sat than it hath been from the rising of the last session to this day. Through the intention of devising a Commonwealth again! That some people might be the men that might rule all! And they are endeavoring to engage the army to carry that thing. And hath that man been "true to this nation," whosoever he be, especially that

hath taken an oath, thus to prevaricate? These designs have been made among the army, to break and divide us, I speak this in the presence of some of the army. That these things have not been according to God, nor according to truth, pretend what you will! These things tend to nothing else but the playing of the King of Scots' game (if I may so call him); and I think myself bound before God to do what I can to prevent it.

That which I told you in the Banqueting-House was true, that there are preparations of force to invade us. God is my witness, it hath been confirmed to me since, not a day ago, that the King of Scots hath an army at the water's side, ready to be shipped for England. I have it from those who have been eye-witnesses of it. And while it is doing, there are endeavors from some who are not far from this place, to stir up the people of this town into a tumulting—what if I said, into a rebellion! And I hope I shall make it appear no better, if God assist me.

It hath been not only your endeavor to pervert the army while you have been sitting, and to draw them to state the question about a "Commonwealth," but some of you have been listing of persons, by commission of Charles Stuart, to join with any insurrection that may be made. And what is like to come upon this, the enemy being ready to invade us, but ever-present blood and confusion?

And if this be so, I do assign it to this cause: Your not assenting to what you did invite me to by your Petition and Advice, as that which might prove the settlement of the nation. And if this be the end of your sitting, and this be your carriage, I think it high time that an end be put to your sitting. And I do dissolve this Parliament! And let God be judge between you and me!

SIR HENRY VANE

Sir Henry Vane the younger — as he was called to distinguish him from his father, a prominent statesman — was born in 1612, and was educated at Oxford, where he became imbued with the uncompromising republicanism which marked his career. In 1635, after extensive travel in Europe, he set sail for New England—then the Mecca of the disaffected. He was elected governor of Massachusetts, but became unpopular from his tendency to "Antinomianism," and returned to England the following year. He entered Parliament in 1640, and at once allied himself with the anti-court party, becoming one of its most determined leaders. Vane was constantly conspicuous after the outbreak of the civil war, being active in promoting the "solemn league and covenant" and the "self-denying ordinance." In 1649, when the Commonwealth was established, Vane was made one of the council of state; but he was not in favor with Cromwell, and soon resigned. In 1656 he published an attack upon the Protector under the title of "A Healing Question Propounded and Resolved," for which he was imprisoned for four months. On his release, Cromwell made overtures to him, but Vane was not to be placated, and maintained a sulky silence until the Restoration. He, with nineteen others, was excluded from the general amnesty, and was in 1660 sent to the Tower, and two years later tried for high treason, condemned, and beheaded. His trial was a mockery of justice, he being refused counsel and being kept in ignorance of the nature of the indictment to the last, but his defence was able and dignified, and in better temper than most of his speeches.

Vane's speeches were most notable for great vigor and rough power, sometimes marred by inconsequence and impatience. His invective was excellent, and his opponents often writhed under his lash. He was seemingly careless of the

rules of rhetoric, yet he was effective in his results, having a certain lucent simplicity which held attention.

Vane's best-known political pamphlets are the *Healing Question,* mentioned above, and *The People's Case Stated,* written during his captivity. He was the author of many religious works, of which his *Meditations on Death* stands at the head, and in this there are many passages of real beauty and power. The best account of his life and speeches, albeit somewhat panegyrical, is to be found in Foster's *Statesmen of the Commonwealth of England.*

ON THE PETITION AND ADVICE

Sir Henry Vane.

In the brief and inglorious career of Richard Cromwell as Lord Protector, it is probable that nothing so rankled as did the philippics hurled against him by Vane. The latter held the second of the Cromwell dynasty in contempt as well as hatred, and did not scruple to display his feelings. The following speech was his first great diatribe against the object of his scorn, and was delivered on the occasion of a debate on the question of the scope of the original "Petition and Advice." Vane's powers of argument and satire were seen to best advantage in this speech, which is effective rather from its bitterness and vigor than from higher qualities; yet it is a good example of a style prevalent at that time, and which was noted for deadly earnestness and convincing intensity rather than for polish or grace.

I KNOW very well the great disadvantage that any person suffers that in this great and grave assembly shall, at this time of day, offer you anything. You have spent three days in the debate, and it is not unsuitable to your wisdom to be yet on the threshold. The more time you have taken, the more successful, probably, it may be.

That which called me up at this time was what the last gentleman said; that is, to do things with unity. At least we shall be at greater unity, if not greater amity, by having patience to hear one another and admitting the variety of reasons and

judgments which are offered by all men. Though a large field has been led into, the thing is very short. Consider what it is we are upon — a Protector in the office of chief magistrate. But the office, of right, is in yourselves. It is in your hands that you may have the honor of giving or not giving, as best likes you. You may confer it, if you please, for any law to the contrary brought now into your House. I shall advise you to this, as was moved : Give not by wholesale, so as to beg again by retail. To give will at any time get you many friends. It therefore concerns you in this business to have your eyes in your heads, to look well about you, that it slip not from you without considering what is your right, and the right of the people.

The wise providence of God has brought things, in these our days, to the state of government as we now find it. I observe a variety of opinions as to what our government is. Some conceive that it is in King, Lords, and Commons ; that the principles of old foundations yet remain entire, so that all our evils, indeed, are imputed to our departure from thence.

It hath pleased God, by well-known steps, to put a period and to bring that government to a dissolution. All three Parliaments in the late King's time found the state of things in slavery. I have had some experience since the two Parliaments in

Sir Henry Vane.

From a steel engraving.

1640, and remember, when the Parliament considered the state of the nations, that they found them in a grand thralldom of oppression and tyranny, endeavoring to carry us up even into popery. God made us see the state and condition we were then in. The consideration of these things would have made us make long sweeps to redress it; but Providence led us on step by step. Therefore, having the legislative power, God saw it good that we should change the government; but we found great difficulties in the work, as most men were willing rather to sit down by slavery than to buy themselves out of it at so great a price.

The first thing expected was that justice should be done upon delinquents, who had so much the ear of that Prince that they told him he had power enough to protect himself and them too. He had the power of the militia. These grievances brought us to consider where the right of the militia lay; and when we saw it was in ourselves, we thought to make use of it with moderation, choosing rather to use it to reduce the King by fair means than otherwise.

So well satisfied was this House, then, with the principles of that government, that there was then a declaration drawn in favor of it. I was one of that committee. I hear reflections as if I had changed from that. I think it now my duty to

change with better reason. They did think fit to publish that which was to preserve that ancient fabric of government, according to such qualifications as might be for the public service. I am well satisfied it was the clear intent of their hearts. But this encouraged the King, and brought it to that issue at last that he hardened his heart, till it was resolved to make no more addresses, but to bring him to judgment. But, in the meantime, applications were made to him, still imploring him to be reconciled ; and nothing was wanting in the House, that, if possible, he might have saved the government, and himself with it ; but God would not have it so. God knows best what that work is which He is to bring forth. When all applications could not prevail, they thought fit to bring the King to judgment ; thereby the state of affairs was much altered.

This House then thought fit to apply themselves to the Lords against the Scots' invasion, and in the great case of justice upon the King. The Lords refused both. In this juncture, they were reduced to the necessity of doing that which is now the foundation of that building upon which you must stand if you expect to be prosperous. When they came to look upon the delinquency of the King, and considered him as an object of justice, it was declared by them that the taking away of the kingship was the only happy way of returning to their

own freedom. Their meaning thereby was that the original of all just power was in the people, and was reserved wholly to them, the representatives.

When the Parliament, in questions as to what was just and right, had gathered up all into themselves, it was disputed in what way the King should be tried. They counted themselves then prepared to grant out a commission to try the King. I confess I was then exceedingly to seek, in the clearness of my judgment, as to the trial of the King. I was for six weeks absent from my seat here, out of my tenderness of blood; yet all power being thus in the people originally, I myself was afterwards in the business.

The King upon his trial denies this power to be in the Parliament: they try it, and they seal it with the blood of the King. This action of theirs was commanded by this House to be recorded in all the Courts of Westminster Hall and in the Tower. If you be not now satisfied with this business, you will put a strange construction upon that action and upon all that has been done by the general and soldiers. If you, here, will now doubt this right to be in you, you draw the guilt upon the body of the whole nation. You join issue with him upon that point. It will be questioned whether that was an act of justice or murder.

Brought step by step unto your natural right by an unavoidable necessity, that little remnant of

the Parliament was now the representative of the nation, springing up from another root. This had a more clear foundation, being thus the supreme judicature, to comprehend all government in itself. Whether the death of the King caused not a dissolution of that Parliament, as to that doing it then had, and as it was taken to be, I know not: I leave that to the long robe.

It was then necessary, as the first act, to have resort to the fountain of all just power, and to create and establish a free State, to bring the people out of bondage from all pretence of superiority over them. It seems plain to me that all offices had their rise from the people, and that all should be accountable to them. If this be monstrous, then it is monstrous to be safe and rational and to bear your own good.

It is objected that this nation could not bear that government; but Holland bears it against the power of Orange. They keep the office of Stadtholder vacant to this day; so do other places. This is a principle that we may bear it, if we can bear our own liberties, or that if we have not the importance of the people of Israel; unless, with the Israelites, we will return to Egypt, weary of our journey to Canaan.

This being the case, we were declared a free State. We were after tossed upon all those billows that sunk us in the sands. Though we

miscarried then, though this free State was shipwrecked, yet you have got a liberty left to say it is now again in your possession, else I am mistaken. If it be so, I hope you will not part with it but upon grounds of wisdom and fidelity. If you were but arbitrating in the cause of a private friend, you would make the best bargain for him that you could: you would so do as not to give away the right of him by whom you were intrusted but upon good grounds. That which you give, give it freely on grounds of justice: understand well your terms.

This brings me to the consideration of another thing, which is that, the first government being dissolved, another is brought into the room. Though not perfect, yet it is said that the foundations are laid, upon which we may build a superstructure of which we may not be ashamed. Now, shall we be underbuilders to supreme Stuart? We have no need, no obligation upon us to return to that old government. I have a vote.

For the covenant with the Scots, their invasion did render that covenant invalid. They would have repossessed a king and imposed him upon this nation by virtue of that covenant which they had broken. The Parliament showed that their shackles were broken; it did not oblige any farther. That it was famous and had power! That was the Israelite's argument for worshipping the sun and

moon. If we return to an obligation by virtue of the covenant, by the same reason we may return to worship the sun and moon. I hope those shall not sway here.

Lastly, at the dissolution of the Long Parliament, you lost your possession, not your right. The chief magistrate's place was assumed without a law. There was assumed with it, not only the power of the Crown on the terms of former kings, which hath its foundation and regulation by the laws, but the possession was assumed. You were then under various forms of administration: some that had not the characters of trust upon them; some too limited. Still, you were kept out of possession. Parliaments have been called, and as often broken.

This "Petition and Advice," which is now so much insisted upon, was never intended to be the settled government, but only intended to be a pair of stairs to ascend the throne; a step to King, Lords, and Commons. It pleases God to let you see you have not been ill-counselled to wait upon Him a first day, and a second, and a third day, to see what He will hold out for your peace and safety for asserting the liberties of the people. This bill huddles up in wholesale what you have fought for, and is hasted on lest you should see it.

We have now a "Petition and Advice" that comes in place of the ancient government, the

"instrument" and all other forms. Yet, if this be the case, you are, notwithstanding the "Petition and Advice," in the clear, rightful possession of this government, which cannot be disposed of but by your consent. The old Protector thought it fit to have it given him from you, and had it, by your pleasure, invested upon him; but, although it was acknowledged that he had power to get it, yet he thought fit to make it your free gift. It will not be denied now. A presenting this office by that Parliament, and the open investiture of him in your chair, prove it. Yet, as to this gift of yours, I dare be bold to say, the thing given was hardly understood. By giving of this office, they gave, in the 16th article, the power of their dissolution!

It being acknowledged to have been your gift, let us consider what was given, and how given.

The gift was the executive power, the ruling power: that is, the office of chief magistrate. All the legislature was then in the hands of the people. The Commonwealth would not put the executive power out of their hands. For this reason, they set up those shadows, the keepers of the liberties of England, as an executive power, to distinguish it from the legislature. This, then, was the thing given, and this the "Petition and Advice" hath made a difficulty of returning! The power of the purse indeed is left us, because they

know not how to take it from us. There is no dispute but that you have a right to open the people's purse, because kings knew they could not well take it; but the chief magistrate! they would not allow you that to give.

Now this power and the office were given, it seems, by the regulation of the "Petition and Advice"; the whole executive power of the late King was all given, at one clap, to the late Protector for life. This, being given to him, was not given absolutely to any other for life. Nothing was given him more, only the nomination and declaration of a successor, which must be according to law. So says the "Petition and Advice." This nomination must first appear before we can say this gentleman is the undoubted Protector. Had I thought this had been said before, I should have spared both you and myself.

That which is now brought in, the bill of recognition, takes it for granted that there is no one in possession of the Protectorship; for it requires that you acknowledge his right and title, not that we should acknowledge his person, and then inquire what is his right and title. It is hard we should be put upon that. Let us know what this right and title is that we must recognize. But it seems the Parliament that made the "Petition and Advice," they gave it, and we must acknowledge it!

If he hath any right, it must be by one of these

three ways :—Either by the grace of God and by God's providence, that if he hath a sword, he may take whatever is within the reach of it, and thus maintain his right. Or as the son of the conqueror. He was, indeed, a conqueror in your behalf, but never of yourselves fit for you to recognize. Or, lastly, by the "Petition and Advice." But that cannot be urged until it doth appear that he hath it according to that. Yet that is only a nomination, which hath nothing of constitution until you have made it. He must come to you for that. I appeal, then, if this has not deserved three days' debate. Deserves it not more to set nails upon it? May it not deserve a Grand Committee, to convince one another in love and unity?

Therefore I shall move that this bill may, upon the whole matter, be committed to a Grand Committee, where reason may prevail.

It is not a sudden recognition, a sudden obtaining, of the first steps, that will direct us fairly into the room. It must be on an unshaken foundation that you can ever hope to maintain it against the old line. If you be mindful to resort to the old government, you are not many steps from the old family. They will be too hard for you if that government be restored.

Instead of the son of a conqueror by nature, make him a son by adoption. Take him into your own family, and make him such a one as the Great One

shall direct you. When the army see that they are yours, they will be *protected* by you.

I would have all names of sectaries laid aside, and righteousness go forward. Let fees and extortions be looked into, which make the laws themselves your oppressors. I have discharged my conscience, and look on it as a special testimony of God's providence that I am here to speak this before you.

AGAINST RICHARD CROMWELL

Sir Henry Vane.

The following short but exceeding bitter attack by Vane upon the hated Richard Cromwell is hardly to be matched in the annals of invective. In its power of acrimony and aptness of classical allusion it ranks very high. It was delivered on the occasion of an attempt to illegally dissolve the House, and was spoken amid tumult and broil. It marked the last public appearance of Richard Cromwell, and was effective in rendering that appearance his last. Brief as it is, it contains material that might be expanded into a long address, but not without weakening it. In its form as delivered, it stands a model of its kind, a remarkable combination of sword- and bludgeon-play.

MR. SPEAKER,—Among all the people of the universe, I know none who have shown so much zeal for the liberty of their country as the English at this time have done: they have, by the help of Divine Providence, overcome all obstacles, and have made themselves free. We have driven away the hereditary tyranny of the house of Stuart, at the expense of much blood and treasure, in hopes of enjoying hereditary liberty, after having shaken off the yoke of kingship; and there is not a man among us who could have imagined that any person would be so bold as to dare to attempt the ravishing from us that freedom, which

cost us so much blood and so much labor. But it so happens, I know not by what misfortune, we are fallen into the error of those who poisoned the Emperor Titus to make room for Domitian, who made away with Augustus that they might have Tiberius, and changed Claudius for Nero. I am sensible these examples are foreign from my subject, since the Romans in those days were buried in lewdness and luxury, whereas the people of England are now renowned all over the world for their great virtue and discipline, and yet suffer an idiot without courage, without sense, nay, without ambition, to have dominion in a country of liberty! One could bear a little with Oliver Cromwell, though, contrary to his oath of fidelity to the Parliament, contrary to his duty to the public, contrary to the respect he owed that venerable body from whom he received his authority, he usurped the government. His merit was so extraordinary that our judgments, our passions, might be blinded by it. He made his way to empire by the most illustrious actions; he had under his command an army that made him a conqueror, and a people that made him their general. But as for Richard Cromwell, his son, who is he? what are his titles? We have seen that he had a sword by his side; but did he ever draw it? And, what is of more importance in this case, is he fit to get obedience from a mighty nation, who could never

make a footman obey him? Yet we must recognize this man as our king, under the style of Protector! a man without birth, without courage, without conduct. For my part I declare, Sir, it shall never be said that I made such a man my master.

HENEAGE FINCH, EARL OF NOTTINGHAM

Heneage Finch, who was called "the English Cicero," and "the English Roscius," from his eloquence and grace of action, was born in 1621, educated at Oxford, and called to the bar in 1645. He was highly successful in his profession, and was chosen as a member of the Convention Parliament of 1660, and soon after appointed Solicitor-General. In 1670 he became Attorney-General, and in 1675 was created Lord Chancellor and Earl of Nottingham. Besides his powers as an orator, he was noted for his integrity and moderation, while his ability as a lawyer is shown by his title of "the father of equity." He died in 1682.

Lord Nottingham was graceful and ornate in his periods, and his language, if not remarkable for power, was lucid and pleasant. He was persuasive rather than forcible, but close and logical in his reasoning. He was essentially forensic.

The principal works of Lord Nottingham are: *Several Speeches and Discourses in the Tryal of the Judges of King Charles I.* (1660); *Speeches to both Houses of Parliament* (1679); and *Speech at the Sentence of Viscount Strafford* (1680). The best accounts of his life and speeches are found in Burnet's *History of My Own Time* (1724–34), and Horace Walpole's *Royal and Noble Authors* (1758).

ADDRESS TO THE THRONE

Earl of Nottingham.

The Earl of Nottingham's "Address to the Throne" has been chosen as an example of the style of oratory characteristic of the speaker and the day. It is essentially graceful, making no pretence to force—indeed, the occasion did not call for strength. It is in many respects a model of what should be avoided; the length of the sentences is at times absolutely appalling, and there is no lack of wordiness, yet it has some passages which merit praise, and, if it never rises to great height, it equally shuns the opposite extreme.

SINCE it hath pleased Your Majesty not to admit my humble excuse, but, by your royal approbation, to crown this election, after my heart and hands first lifted up to God, that hath thus inclined your royal heart, I do render my humblest thanks to Your Majesty, who are pleased to cast so gracious an eye upon so mean a subject and to descend so low as, in a service of this importance, to take me into your princely thoughts; and since we all stand for hundreds and thousands, for figures and cyphers, as Your Majesty the supreme and sovereign auditor shall please to place and value us, and, like coin to pass, are made current by your royal stamp and impression only, I shall neither disable nor

undervalue myself, but with a faithful and cheerful heart apply myself with the best of my strength and abilities, to the performance of this weighty and public charge; wherein, as I do and shall to the end most humbly desire your gracious acceptance of my good intentions and endeavors, so I could not but gather some confidence to myself, that Your Majesty will look favorably upon the works of your own hands. And in truth, beside this particular, these public things, which are obvious to every understanding, are so many arguments of comfort and encouragement, when I contemplate and take a view of those inestimable blessings, which by the goodness of God we do enjoy under Your Majesty's most pious and prudent government.

If we behold the frame and the face of the government in general, we live under a monarchy, the best of governments, the nearest resemblance unto the Divine Majesty which the earth affords, the most agreeable to nature, and that which other states and republics do easily fall and reverse into, as the ocean, and are naturally dissolved, as into their *primam materiam*. The laws by which we are governed are above any value my words can set upon them; time hath refined and improved them; they are equal at least to any laws human, and so curiously framed and fitted, that as we live under a temperate climate, so the laws are temperate, yielding a due observance to the prerogative

Heneage Finch, Earl of Nottingham.

From the painting by Sir Peter Lely.

royal, and yet preserving the right and liberty of the subject; that which Tacitus saith of two of the best emperors, *"Res olim insociabiles miscuerunt, imperium et libertatem."* And so far is this from the least diminution of sovereigns, that in this Your Majesty is truly styled *Pater Patriae,* and the greatest king in the world; that is, king of such and so many free-born subjects, whose persons you have not only power over, but, which is above the greatest of kings, to command their hearts. If time or corruption of manners breed any mists or grievances, or discover any defect in the law, they are soon reformed by Parliament, the greatest court of justice, and the greatest council of the kingdom, to which all other courts and councils are subordinate. Here your royal person sits enthroned in the state of majesty, attended by a reverend and learned prelacy, a great and full nobility; enthroned like stars in the firmament, some of a greater, some of a lesser magnitude, full of light and beauty, and acknowledging to whom they owe their lustre; and by a choice number of worthy knights and gentlemen, that represent the whole body of your commons. But to leave generals; we live not under a monarchy only, the best of governments, and under a government the best of monarchies, but under a king the best of monarchs, your royal person, whose eminent graces and virtues, which are inherent in your person (in whom greatness

and goodness contend for superiority) it were presumption in me to touch, though with never so good a meaning; they will not be bounded within the narrow compass of my discourse. And such pictures of a king are not to be made in limning, but from public things and actions which the least eye may see and discern; and in them, obliquely and by reflection, cheerfully and with comfort, behold your person. What age shall not record and eternize your princely magnanimities in that heroic action or venturous journey into Spain, or hazarding your person to preserve the kingdom? Fathers will tell it to their children in succession; after-ages will then think it a fable. Your piety to the memory of your dear father, in following and bedewing his hearse with your tears, is full in every man's memory. The public humiliation when God's hand lay heavy upon us, and the late public thanksgiving to Almighty God for removing His hand, both commanded and performed in person by Your Majesty, is a work in piety not to be forgotten; and I trust the Lord will remember them, and reward them with mercy and blessing to Your Majesty, and the whole kingdom. Your love to justice, and your care in the administration of justice, we all behold with comfort, and rejoice to see it: the great courts of justice, from the highest to the lowest, furnished with judges of that wisdom and gravity, learning and integrity.

The thrones of kings are established by justice; and may it establish, and I doubt not but it will establish, the throne of Your Majesty in your person, and in your royal line, to the end of time. But above all, and indeed it is above all, as far as heaven is distant from the earth, your care and zeal for the advancement of God's true religion and worship are clearly and fully expressed, as doth appear both in your person and by your public acts and edicts. It is true that it is said of princes, *quod faciunt præcipiunt;* of Your Majesty both are true, and a proposition made convertible. We have received a most gracious answer from Your Majesty to all our late petitions concerning religion, seconded with a public declaration under the great seal and enrolled in all the courts of justice, for your royal pleasure and direction to awaken and put life into these laws by a careful execution, with provision that the penalties be not converted to your private coffers; and yet the coffers of the king are not private coffers, but, by your express direction, set apart to public uses, such as concern the immediate defence of the kingdom, wherein we all have our share and interest. Your royal proclamation hath commanded those Romish priests and Jesuits to banishment — those incendiaries, that infect the state of this Church and Commonwealth. Their very entrance into this kingdom is, by a just and provident law, made treason; their aims being

in truth (how specious soever their pretences be) nothing else but to plot and contrive treason against the State, and to seduce your natural-born subjects from their true obedience, nourishing in their posterities factions and seditions; witness those many treasons and conspiracies against the person of that glorious lady, whose memory will never die; and that horrible, matchless conspiracy, the powder treason, the masterpiece of the devil. But God, that preserved her and your royal father against all their treacherous conspiracies and hath given you a heart to honor Him, will honor and preserve you; religion will more truly keep your kingdoms, than the seas do compass them. It is the joy of heart of Your Majesty's loyal and well-affected subjects, and will ever be the honor of your regal diadem, and the crown of your crown. The Spanish invasion in 1588 I hope will ever be remembered in England with thankful acknowledgment to God for so great a deliverance; and I assure myself it is remembered in Spain, but with another mind—a mind of revenge; they are too constant to their counsels to acquit their resolutions and purposes that drew on that attempt. It was long before discovered, and since printed, not without their liking, that they affect an universal monarchy. "Videor mihi videre [saith Lipsius of their state] solem orientem ab occidente"; a monster in nature. And one of their own, speaking of

the two great lights which God had placed in the firmament, makes the Pope "luminare majus, præsidens urbi et orbi," and the King of Spain, "luminare minus ut subdetur urbi et dominetur per totum orbem." A great flattery, and a bold and impudent allusion. But I trust, as God hath put it into the heart of your blessed father, by the matchless book of his, written to all Christian monarchs and princes (a work by which he raised a monument to himself more lasting than marble), to denounce war to that adversary of God and kings, the Pope; so hath He set Your Sacred Majesty upon the throne of your father, to do as many things worthy to be written, as he had written things worthy to be read: amongst them to restrain that unlimited pride and boundless ambition of Spain, to reduce it to the proper current and channel; who, under the title of Catholic King, makes his pretence to more countries and kingdoms than his own, and by color of disguised treatises he invades the Palatinate, and dispossesseth the incomparable lady your royal sister, and the children of this kingdom, of their right, and their ancient patrimony and inheritance, to the discomfort and dishonor of this great and glorious nation. God in His mercy soon repair this breach by your royal hand; and I assure myself, the hearts, the hands, and the purses of all good subjects will say, Amen.

SIR ROBERT WALPOLE

Sir Robert Walpole, perhaps the most clear-sighted of English statesmen, was born in Norfolk, England, in 1676, and was educated at Eton and Cambridge. In 1702 he was elected to Parliament, where he soon won the confidence of the Whig leaders and was given several lucrative offices. But he availed himself too liberally of his privileges, and was in 1712 expelled from the House and sent to the Tower on a charge of "notorious corruption." When George I. acceded, Walpole was restored to favor and made a privy councillor. In 1715 he was created Chancellor of the Exchequer and First Lord of the Treasury, but resigned office in 1717, and in opposition signalized himself as a strenuous opponent of the iniquitous South Sea scheme. In 1721 he resumed office, which he held until 1742, when he finally resigned, owing to bitter attacks upon his probity in the House. He was given the title of Earl of Orford, and died in 1745. He was not innocent of the charge of bribery, yet he used his best efforts for what he held the interests of his country, and hardly deserved the obloquy which he received and in which his name is held to this day.

Walpole was an orator from necessity rather than avocation, and indulged in but little rhetoric. He pressed his points home with insistence, and was best in satire and invective, which he used unsparingly. His English was direct and pungent but never lofty in debate, often sinking to conversational commonplace. It was the style of the day, which aimed at combining the simplicity and purity of Addison and Steele, and often carried both to excess.

The most comprehensive account of Walpole and his speeches is that of Archdeacon Coxe, and a shorter but perhaps more readable life is that by Ewald.

ON THE SEPTENNIAL BILL

Robert Walpole.

The Septennial Act was passed by Parliament in 1716, its purpose being to extend the durations of that body from three to seven years. In 1734 Bolingbroke moved for its repeal, being desirous of at once embarrassing the ministry and pleasing the Jacobites. It was an adroit measure, calculated to antagonize the Whigs with the landholders, and the result was one of the most famous debates ever held in the House. Sir William Wyndham led the Tories, and delivered a fine address. To this Walpole, as Whig leader, had to respond; but he declined to recognize Wyndham as more than the puppet of Bolingbroke, and turned his forces upon the latter. The defence of the Act is masterly, and the attack on Bolingbroke is deserving of close study as a model of a combination of bitterness and truth. Not sparing in invective, Walpole never deserted the higher ground of argument in this speech, and, eschewing all effects of eloquence, concentrated his efforts upon convincing his audience. The motion was lost, and Bolingbroke retired from political life, fairly beaten out of the field. The speech is one of consummate skill, which hardly appears upon the surface, but to a close student of the times and occasion of its delivery it stands as a masterpiece of oratory.

SIR, — I do assure you, I did not intend to have troubled you on this occasion. But such incidents now generally happen toward the end of our debates, nothing at all relating to the subject; and gentlemen make such suppositions (meaning some person, or perhaps, as they say, no person now in being), and talk so much of wicked ministers, domineering ministers, ministers pluming

themselves in defiances,— which terms, and such like, have been of late so much made use of in this House,— that if they really mean nobody either in the House or out of it, yet it must be supposed they at least mean to call upon some gentleman in this House to make them a reply. I hope, therefore, I may be allowed to draw a picture in my turn ; and I may likewise say that I do not mean to give a description of any particular person now in being. When gentlemen talk of ministers abandoned to all sense of virtue or honor, other gentlemen may, I am sure, with equal justice, and, I think, more justly, speak of anti-ministers and mock patriots, who never had either virtue or honor, but in the whole course of their opposition are actuated only by motives of envy and of resentment against those who have disappointed them in their views, or may not perhaps have complied with all their desires.

But now, Sir, let me too suppose; and, the House being cleared, I am sure no one that hears me can come within the description of the person I am to suppose. Let us suppose in this, or in some other unfortunate country, an anti-minister, who thinks himself a person of so great and extensive parts, and of so many eminent qualifications, that he looks upon himself as the only person in the kingdom capable to conduct the public affairs of the nation, and therefore christening every other

Robert Walpole, Earl of Orford.

After the painting by Jarvis.

gentleman who has the honor to be employed in the administration by the name of Blunderer. Suppose this fine gentleman lucky enough to have gained over to his party some persons really of fine parts, of ancient families, and of great fortunes, and others of desperate views, arising from disappointed and malicious hearts; all these gentlemen, with respect to their political behavior, moved by him, and by him solely; all they say, either in private or public, being only a repetition of the words he has put into their mouths, and a spitting out of that venom which he has infused into them; and yet we may suppose this leader not really liked by any, even of those who so blindly follow him, and hated by all the rest of mankind. We will suppose this anti-minister to be in a country where he really ought not to be, and where he could not have been but by an effect of too much goodness and mercy; yet endeavoring, with all his might and with all his art, to destroy the fountain from whence that mercy flowed. In that country suppose him continually contracting friendships and familiarities with the embassadors of those princes who at the time happen to be most at enmity with his own; and if at any time it should happen to be for the interest of any of those foreign ministers to have a secret divulged to them, which might be highly prejudicial to his native country, as well as to all its friends, suppose

this foreign minister applying to him, and he answering, "I will get it you; tell me but what you want, I will endeavor to procure it for you." Upon this he puts a speech or two in the mouths of some of his preachers, or some of his new converts. What he wants is moved for in Parliament, and when so very reasonable request as this is refused, suppose him and his creatures and tools, by his advice, spreading the alarm over the whole nation, and crying out, "Gentlemen, our country is at present involved in many dangerous difficulties, all which we would have extricated you from, but a wicked minister and a corrupt majority refused us the proper materials!" And upon "this scandalous victory," this minister became so insolent as "to plume himself in defiances!" Let us further suppose this anti-minister to have travelled, and, at every court where he was, thinking himself the greatest minister and making it his trade to betray the secrets of every court where he had before been; void of all faith or honor, and betraying every master he ever served. I could carry my suppositions a great deal further, and I may say I mean no person now in being; but if we can suppose such a one, can there be imagined a greater disgrace to human nature than such a wretch as this?

Now, to be serious, and to talk really to the subject in hand. Though the question has been

already so fully and so handsomely opposed by my worthy friend under the gallery, by the learned gentleman near me, and by several others, that there is no great occasion to say anything further against it, yet, as some new matter has been stated by some of the gentlemen who have since that time spoken upon the other side of the question, I hope the House will indulge me the liberty of giving some of those reasons which induce me to be against the motion.

In general, I must take notice that the nature of our Constitution seems to be very much mistaken by the gentlemen who have spoken in favor of this motion. It is certain that ours is a mixed government; and the perfection of our Constitution consists in this, that the monarchical, aristocratical, and democratical forms of government are mixed and interwoven in ours, so as to give us all the advantages of each, and without subjecting us to the dangers and inconveniences of either. The democratical form of government, which is the only one I have now occasion to take notice of, is liable to these inconveniences, that they are generally too tedious in their coming to any resolution, and seldom brisk and expeditious enough in carrying their resolutions into execution; that they are always wavering in the resolutions, and never steady in any of the measures they resolve to pursue; and that they are often involved in factions, seditions,

and insurrections, which expose them to be made the tools, if not the prey of their neighbors. Therefore, in all the regulations we make with respect to our Constitution, we are to guard against running too much into that form of government which is properly called democratical. This was, in my opinion, the effect of the triennial law, and will again be the effect, if it should ever be restored.

That triennial elections would make our Government too tedious in all their resolves is evident; because, in such case, no prudent administration would ever resolve upon any measure of consequence till they had felt, not only the pulse of the Parliament, but the pulse of the people. The ministers of state would always labor under this disadvantage, that, as secrets of state must not be immediately divulged, their enemies (and enemies they will always have) would have a handle for exposing their measures and rendering them disagreeable to the people, and thereby carrying perhaps a new election against them, before they could have an opportunity of justifying their measures by divulging those facts and circumstances from whence the justice and the wisdom of their measures would clearly appear.

Then it is by experience well known that what is called the populace of every country are apt to be too much elated with success, and too much dejected with every misfortune. This makes

them wavering in their opinions about affairs of state, and never long of the same mind. And as this House is chosen by the free and unbiased voice of the people in general, if this choice were so often renewed we might expect that this House would be as wavering and as unsteady as the people usually are. And it being impossible to carry on the public affairs of the nation without the concurrence of this House, the ministers would always be obliged to comply, and consequently would be obliged to change their measures as often as the people changed their minds.

With septennial Parliaments we are not exposed to either of these misfortunes, because, if the ministers, after having felt the pulse of the Parliament (which they can always soon do), resolve upon any measures, they have generally time enough, before the new election comes on, to give the people proper information, in order to show them the justice and the wisdom of the measures they have pursued. And if the people should at any time be too much elated or too much dejected, or should, without a cause, change their minds, those at the helm of affairs have time to set them right before a new election comes on.

As to faction and sedition, I will grant that, in monarchical and aristocratical governments, it generally arises from violence and oppression; but in popular or mixed governments, it always

arises from the people having too great a share in the government. For in all countries, and in all governments, there always will be many factious and unquiet spirits, who can never be at rest, either in power or out of power. When in power they are never easy, unless every man submits entirely to their directions; and when out of power, they are always working and intriguing against those that are in, without any regard to justice, or to the interests of their country. In popular governments such men have too much game. They have too many opportunities for working upon and corrupting the minds of the people, in order to give them a bad impression of, and to raise discontents against, those that have the management of the public affairs for the time; and these discontents often break out into seditions and insurrections. This would, in my opinion, be our misfortune, if our Parliaments were either annual or triennial. By such frequent elections, there would be so much power thrown into the hands of the people as would destroy that equal mixture which is the beauty of our Constitution. In short, our government would really become a democratical government, and might from thence very probably diverge into a tyrannical. Therefore, in order to preserve our Constitution, in order to prevent our falling under tyranny and arbitrary power, we ought to preserve this

law, which I really think has brought our Constitution to a more equal mixture, and consequently to a greater perfection, than it was ever in before that law took place.

As to bribery and corruption, if it were possible to influence, by such base means, the majority of the electors of Great Britain, to choose such men as would probably give up their liberties — if it were possible to influence, by such means, a majority of the members of this House to consent to the establishment of arbitrary power — I should readily allow that the calculations made by the gentlemen of the other side were just, and their inference true. But I am persuaded that neither of these is possible. As the members of this House generally are, and must always be, gentlemen of fortune and figure in their country, is it possible to suppose that any of them could, by a pension or a post, be influenced to consent to the overthrow of our Constitution, by which the enjoyment, not only of what he got, but of what he before had, would be rendered altogether precarious? I will allow that, with respect to bribery, the price must be higher or lower, generally in proportion to the virtue of the man who is to be bribed; but it must likewise be granted that the humor he happens to be in at the time, and the spirit he happens to be endowed with, adds a great deal to his virtue. When no encroachments are

made upon the rights of the people, when the people do not think themselves in any danger, there may be many of the electors who, by a bribe of ten guineas, might be induced to vote for one candidate rather than another. But if the court were making any encroachments upon the rights of the people, a proper spirit would, without doubt, arise in the nation ; and in such a case I am persuaded that none, or very few, even of such electors could be induced to vote for a court candidate —no, not for ten times the sum.

There may be some bribery and corruption in the nation ; I am afraid there will always be some. But it is no proof of it that strangers (*i. e.*, non-residents) are sometimes chosen ; for a man may have so much natural influence over a borough in his neighborhood as to be able to prevail with them to choose any person he pleases to recommend. And if upon such recommendation they choose one or two of his friends, who are perhaps strangers to them, it is not from thence to be inferred that the two strangers were chosen their representatives by the means of bribery and corruption.

To insinuate that money may be issued from the public treasury for bribing elections is really something very extraordinary, especially in those gentlemen who know how many checks are upon every shilling that can be issued from thence, and

how regularly the money granted in one year for the service of the nation must always be accounted for the very next session in this House, and likewise in the other, if they have a mind to call for any such account. And as to gentlemen in office, if they have any advantage over country gentlemen in having something else to depend on besides their own private fortunes, they have likewise many disadvantages. They are obliged to live here at London with their families, by which they are put to a much greater expense than gentlemen of equal fortune who live in the country. This lays them under a very great disadvantage in supporting their interest in the country. The country gentleman, by living among the electors and purchasing the necessaries for his family from them, keeps up an acquaintance and correspondence with them, without putting himself to any extraordinary charge. Whereas a gentleman who lives in London has no other way of keeping up an acquaintance and correspondence among his friends in the country, but by going down once or twice a year, at a very extraordinary expense, and often without any other business; so that we may conclude, a gentleman in office cannot, even in seven years, save much for distributing in ready money at the time of an election. And I really believe, if the fact were narrowly inquired into, it would appear that the gentlemen in office are as little

guilty of bribing their electors, with ready money, as any other set of gentlemen in the kingdom.

That there are ferments often raised among the people without any just cause is what I am surprised to hear controverted, since very late experience may convince us of the contrary. Do not we know what a ferment was raised in the nation toward the latter end of the late Queen's reign? And it is well known what a fatal change in the affairs of this nation was introduced, or at least confirmed, by an election coming on while the nation was in that ferment. Do not we know what a ferment was raised in the nation soon after his late Majesty's accession? And if an election had been allowed to come on while the nation was in that ferment, it might perhaps have had as fatal effects as the former. But, thank God, this was wisely provided against by the very law which is now sought to be repealed.

It has, indeed, been said that the chief motive for enacting that law now no longer exists. I cannot admit that the motive they mean was the chief motive; but even that motive is very far from having entirely ceased. Can gentlemen imagine that in the spirit raised in the nation against the Excise Bill not above a twelvemonth since, Jacobitism and disaffection to the present Government had no share? Perhaps some who might wish well to the present establishment did coöperate;

nay, I do not know but they were the first movers of that spirit; but it cannot be supposed that the spirit then raised should have grown up to such a ferment, merely from a proposition which was honestly and fairly laid before the Parliament, and left entirely to their determination! No! The spirit was perhaps begun by those who are truly friends to the illustrious family we have now upon the throne. But it was raised to a much greater height than, I believe, even they designed, by Jacobites, and such as are enemies to our present establishment; who thought they never had a fairer opportunity of bringing about what they had so long and so unsuccessfully wished for, than that which had been furnished them by those who first raised that spirit. I hope the people have now in a great measure come to themselves; and therefore I doubt not but the next elections will show that, when they are left to judge coolly, they can distinguish between the real and the pretended friends to the Government. But I must say, if the ferment then raised in the nation had not already greatly subsided, I should have thought a new election a very dangerous experiment. And as such ferments may hereafter often happen, I must think that frequent elections will always be dangerous; for which reason, in so far as I can see at present, I shall, I believe, at all times think it a very dangerous experiment to repeal the Septennial Bill.

WILLIAM PITT, EARL OF CHATHAM

William Pitt the elder was born at Cornwall in 1708, and was educated at Eton and Oxford. In 1735 he was elected to Parliament, and at once became the vehement foe of the court party, thus coming into conflict with Walpole, then at the height of his power. Pitt soon succeeded in overcoming his adversary, and was called to office in the new ministry. In 1755 he was made Secretary of State and virtually Premier, and now pressed his aggressive policy with vigor. The French were everywhere defeated by the English armies, and Pitt's career knew no check until the accession of George III. in 1761, when the Premier resigned rather than accept the vacillating policy of Lord Bute. In 1766 he was recalled to office, and was the nominal head of the ministry, although from ill-health he chose the sinecure of Privy Seal, sitting in the House of Lords as Viscount Pitt and Earl of Chatham. He finally resigned office in 1768, though he continued for some time after to make occasional speeches in Parliament. He strongly condemned the ministerial policy towards the American colonies, until the colonials made alliance with France, when the Earl, though ill, made a strong protest against the proposed policy of "peace at any terms." It was his last effort, so exhausting him that he had to be carried from the House, and he died on May 11, 1778. He was buried in Westminster Abbey and a statue erected to his memory.

Chatham was a powerful and dignified orator, his phrases being carefully chosen and disposed to the best effect. He was an orator by nature and training. Perhaps he was somewhat pompous in his literary manner, but that was a fault of the day, and he was at once delicate and forceful in his command and use of words. His brilliant wit, utter fearlessness, and remarkable ability to take advantage of every point in his favor made him invincible in debate.

Correspondence of William Pitt, Earl of Chatham (4 vols., 1838-40) ; *Anecdotes of Chatham, with his Speeches in Parliament* (2 vols., 1792); and *A History of the Right Hon. William Pitt, Earl of Chatham* (2 vols., 1827), by the Rev. Francis Thackeray, contain the best accounts of Chatham's life and speeches. A volume of his letters to his nephew, Lord Camelford, was published in 1804, but is of slight interest.

ON THE CASE OF JOHN WILKES

Earl of Chatham.

Lord Chatham was an old man, and in broken health, when he returned to the House of Lords in 1767. But in the speech which he delivered in reply to Lord Mansfield's contention against Chatham's amendment in the case of the notorious John Wilkes, he showed plainly that "still in his ashes glowed their wonted fires." Fortified by the knowledge that he was contending against an illegal proceeding, however little he was in sympathy with Wilkes, he rallied to his cause all the best qualities of his powers of argumentative speech, and boldly took his stand for the right. His speech is an admirable example of his calmer style, as that which is given hereafter is of his more fiery eloquence. He argues the question clearly and convincingly, at least to all unprejudiced hearers. His points are closely made, and he does not allow the salient parts of his subject ever to escape for a moment from his grasp. With quiet insistence, he exposes the injustice of the ministers, and although in this instance he suffered defeat, he had dealt the death-blow to the Government, which shortly after succumbed.

MY Lords, — There is one plain maxim to which I have invariably adhered through life: that in every question in which my liberty or my property were concerned, I should consult and be determined by the dictates of common sense. I confess, my Lords, that I am apt to distrust the refinements of learning, because I have seen the ablest and the most learned men equally liable to deceive themselves and to mislead others. The condition of human nature would be lamentable

indeed, if nothing less than the greatest learning and talents, which fall to the share of so small a number of men, were sufficient to direct our judgment and our conduct. But Providence has taken better care of our happiness, and given us, in the simplicity of common sense, a rule for our direction, by which we can never be misled. I confess, my Lords, I had no other guide in drawing up the amendment which I submitted to your consideration; and, before I heard the opinion of the noble Lord who spoke last, I did not conceive that it was even within the limits of possibility for the greatest human genius, the most subtle understanding, or the acutest wit, so strangely to misrepresent my meaning, and to give it an interpretation so entirely foreign from what I intended to express and from that sense which the very terms of the amendment plainly and distinctly carry with them. If there be the smallest foundation for the censure thrown upon me by that noble Lord; if, either expressly, or by the most distant implication, I have said or insinuated any part of what the noble Lord has charged me with, discard my opinions forever, discard the motion with contempt.

My Lords, I must beg the indulgence of the House. Neither will my health permit me, nor do I pretend to be qualified to follow that learned Lord minutely through the whole of his argu-

William Pitt, Earl of Chatham.

From the painting by Brompton.

ment. No man is better acquainted with his abilities and learning, or has a greater respect for them than I have. I have had the pleasure of sitting with him in the other House, and always listened to him with attention. I have not now lost a word of what he said, nor did I ever. Upon the present question I meet him without fear. The evidence which truth carries with it is superior to all argument; it neither wants the support, nor dreads the opposition, of the greatest abilities. If there be a single word in the amendment to justify the interpretation which the noble Lord has been pleased to give it, I am ready to renounce the whole. Let it be read, my Lords, let it speak for itself.

In what instance does it interfere with the privileges of the House of Commons? In what respect does it question their jurisdiction, or support an authority in this House to arraign the justice of their sentence? I am sure that every Lord who hears me will bear me witness that I said not one word touching the merits of the Middlesex election. So far from conveying any opinion upon that matter in the amendment, I did not even in discourse deliver my own sentiments upon it. I did not say that the House of Commons had done either right or wrong; but, when his Majesty was pleased to recommend it to us to cultivate unanimity among ourselves, I thought

it the duty of this House, as the great hereditary council of the Crown, to state to his Majesty the distracted condition of his dominions, together with the events which had destroyed unanimity among his subjects. But, my Lords, I stated events merely as facts, without the smallest addition either of censure or of opinion. They are facts, my Lords, which I am not only convinced are true, but which I know are indisputably true. For example, my Lords, will any man deny that discontents prevail in many parts of his Majesty's dominions? or that those discontents arise from the proceedings of the House of Commons touching the declared incapacity of Mr. Wilkes? It is impossible. No man can deny a truth so notorious. Or will any man deny that those proceedings refused, by a resolution of one branch of the legislature only, the subject his common right? Is it not indisputably true, my Lords, that Mr. Wilkes had a common right, and that he lost it no other way but by a resolution of the House of Commons? My Lords, I have been tender of misrepresenting the House of Commons. I have consulted their journals, and have taken the very words of their own resolution. Do they not tell us in so many words that Mr. Wilkes, having been expelled, was thereby rendered incapable of serving in that Parliament? And is it not their resolution alone

which refuses to the subject his common right? The amendment says further that the electors of Middlesex are deprived of their free choice of a representative. Is this a false fact, my Lords? Or have I given an unfair representation of it? Will any man presume to affirm that Colonel Luttrell is the free choice of the electors of Middlesex? We all know the contrary. We all know that Mr. Wilkes (whom I mention without either praise or censure) was the favorite of the county, and chosen by a very great and acknowledged majority to represent them in Parliament. If the noble Lord dislikes the manner in which these facts are stated, I shall think myself happy in being advised by him how to alter it. I am very little anxious about terms, provided the substance be preserved; and these are facts, my Lords, which I am sure will always retain their weight and importance, in whatever form of language they are described.

Now, my Lords, since I have been forced into the explanation of an amendment, in which nothing less than the genius of penetration could have discovered an obscurity, and having, as I hope, redeemed myself in the opinion of the House, having redeemed my motion from the severe representation given of it by the noble Lord, I must a little longer entreat your Lordships' indulgence. The Constitution of this country has

been openly invaded in fact; and I have heard, with horror and astonishment, that very invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, nor speak of without reverence — which no man may question, and to which all men must submit? My Lords, I thought the slavish doctrine of passive obedience had long since been exploded; and, when our kings were obliged to confess that their title to the Crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. My Lords, I beg to be understood. No man respects the House of Commons more than I do, or would contend more strenuously than I would to preserve to them their just and legal authority. Within the bounds prescribed by the Constitution, that authority is necessary for the well-being of the people. Beyond that line, every exertion of power is arbitrary, is illegal; it threatens tyranny to the people and destruction to the State. Power without right is the most odious and detestable object that can be offered to the human imagination. It is not only pernicious to those who are subject to it, but tends to its own destruction. It is what my noble friend (Lord

Lyttleton) has truly described it, "Res detestabilis et caduca." My Lords, I acknowledge the just power and reverence the Constitution of the House of Commons. It is for their own sakes that I would prevent their assuming a power which the Constitution has denied them, lest, by grasping at an authority they have no right to, they should forfeit that which they legally possess. My Lords, I affirm that they have betrayed their constituents, and violated the Constitution. Under pretence of declaring the law, they have made a law, and united in the same persons the office of legislator and of judge!

I shall endeavor to adhere strictly to the noble Lord's doctrine, which is, indeed, impossible to mistake, so far as my memory will permit me to preserve his expressions. He seems fond of the word *jurisdiction;* and I confess, with the force and effect which he has given it, it is a word of copious meaning and wonderful extent. If his Lordship's doctrine be well founded we must renounce all those political maxims by which our understandings have hitherto been directed, and even the first elements of learning taught in our schools when we were schoolboys. My Lords, we knew that jurisdiction was nothing more than *jus dicere.* We knew that *legem facere* and *legem dicere* were powers clearly distinguished from each other in the nature of things, and wisely

separated by the wisdom of the English Constitution. But now, it seems, we must adopt a new system of thinking! The House of Commons, we are told, have a supreme jurisdiction, and there is no appeal from their sentence; and that wherever they are competent judges, their decision must be received and submitted to, as *ipso facto* the law of the land. My Lords, I am a plain man, and have been brought up in a religious reverence for the original simplicity of the laws of England. By what sophistry they have been perverted, by what artifices they have been involved in obscurity, is not for me to explain. The principles, however, of the English laws are still sufficiently clear; they are founded in reason, and are the masterpiece of the human understanding; but it is in the text that I would look for a direction to my judgment, not in the commentaries of modern professors. The noble Lord assures us that he knows not in what code the law of Parliament is to be found; that the House of Commons, when they act as judges, have no law to direct them but their own wisdom; that their decision is law; and if they determine wrong, the subject has no appeal but to Heaven. What then, my Lords? Are all the generous efforts of our ancestors, are all those glorious contentions, by which they meant to secure to themselves, and to transmit to their posterity, a known law, a certain rule of living, reduced to

this conclusion, that instead of the arbitrary power of a king, we must submit to the arbitrary power of a House of Commons? If this be true, what benefit do we derive from the exchange? Tyranny, my Lords, is detestable in every shape, but in none so formidable as when it is assumed and exercised by a number of tyrants. But, my Lords, this is not the fact; this is not the Constitution. We have a law of Parliament. We have a code in which every honest man may find it. We have Magna Charta. We have the Statute Book, and the Bill of Rights.

If a case should arise unknown to these great authorities, we have still that plain English reason left, which is the foundation of all our English jurisprudence. That reason tells us that every judicial court, and every political society, must be vested with those powers and privileges which are necessary for performing the office to which they are appointed. It tells us, also, that no court of justice can have a power inconsistent with, or paramount to, the known laws of the land; that the people, when they choose their representatives, never mean to convey to them a power of invading the rights or trampling on the liberties of those whom they represent. What security would they have for their rights, if once they admitted that a court of judicature might determine every question that came before it, not by any known positive

law, but by the vague, indeterminate, arbitrary rule of what the noble Lord is pleased to call the wisdom of the court? With respect to the decision of the courts of justice, I am far from denying them their due weight and authority; yet, placing them in the most respectable view, I still consider them, not as law, but as an evidence of the law. And before they can arrive even at that degree of authority, it must appear that they are founded in and confirmed by reason; that they are supported by precedents taken from good and moderate times; that they do not contradict any positive law; that they are submitted to without reluctance by the people; that they are unquestioned by the legislature (which is equivalent to a tacit confirmation); and, what in my judgment is by far the most important, that they do not violate the spirit of the Constitution. My Lords, this is not a vague or loose expression. We all know what the Constitution is. We all know that the first principle of it is that the subject shall not be governed by the arbitrium of any one man or body of men (less than the whole legislature), but by certain laws, to which he has virtually given his consent, which are open to him to examine and not beyond his ability to understand. Now, my Lords, I affirm, and am ready to maintain, that the late decision of the House of Commons upon the Middlesex election is destitute of every one of those

properties and conditions which I hold to be essential to the legality of such a decision. It is not founded in reason; for it carries with it a contradiction, that the representative should perform the office of the constituent body. It is not supported by a single precedent; for the case of Sir Robert Walpole is but a half-precedent, and even that half is imperfect. Incapacity was indeed declared, but his crimes are stated as the ground of the resolution, and his opponent was declared to be not duly elected, even after his incapacity was established. It contradicts Magna Charta and the Bill of Rights, by which it is provided that no subject shall be deprived of his freehold, unless by the judgment of his peers or the law of the land, and that elections of members to serve in Parliament shall be free. So far is this decision from being submitted to by the people, that they have taken the strongest measures, and adopted the most positive language, to express their discontent. Whether it will be questioned by the legislature will depend upon your Lordships' resolution; but that it violates the spirit of the Constitution will, I think, be disputed by no man who has heard this day's debate, and who wishes well to the freedom of his country. Yet, if we are to believe the noble Lord, this great grievance, this manifest violation of the first principles of the Constitution, will not admit of a remedy. It is

not even capable of redress, unless we appeal at once to Heaven! My Lords, I have better hopes of the Constitution, and a firmer confidence in the wisdom and constitutional authority of this House. It is to your ancestors, my Lords, it is to the English barons, that we are indebted for the laws and Constitution we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners, but they had hearts to distinguish right from wrong; they had heads to distinguish truth from falsehood; they understood the rights of humanity, and they had spirit to maintain them.

My Lords, I think that history has not done justice to their conduct, when they obtained from their sovereign that great acknowledgment of national rights contained in Magna Charta: they did not confine it to themselves alone, but delivered it as a common blessing to the whole people. They did not say, these are the rights of the great barons, or these are the rights of the great prelates. No, my Lords, they said in the simple Latin of the times, "nullus liber homo" [no free man], and provided as carefully for the meanest subject as for the greatest. These are uncouth words, and sound but poorly in the ears of scholars; neither are they addressed to the criticism of scholars, but to the hearts of free men. These three words,

"nullus liber homo," have a meaning which interests us all. They deserve to be remembered — they deserve to be inculcated in our minds—they are worth all the classics. Let us not, then, degenerate from the glorious example of our ancestors. Those iron barons (for so I may call them when compared with the silken barons of modern days) were the guardians of the people; yet their virtues, my Lords, were never engaged in a question of such importance as the present. A breach has been made in the Constitution — the battlements are dismantled—the citadel is open to the first invader — the walls totter — the Constitution is not tenable. What remains, then, but for us to stand foremost in the breach, and repair it, or perish in it?

Great pains have been taken to alarm us with the consequences of a difference between the two Houses of Parliament — that the House of Commons will resent our presuming to take notice of their proceedings; that they will resent our daring to advise the Crown, and never forgive us for attempting to save the State. My Lords, I am sensible of the importance and difficulty of this great crisis; at a moment such as this, we are called upon to do our duty, without dreading the resentment of any man. But if apprehensions of this kind are to affect us, let us consider which we ought to respect most, the representative or the

collective body of the people. My Lords, five hundred gentlemen are not ten millions; and, if we must have a contention, let us take care to have the English nation on our side. If this question be given up, the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves! My Lords, this is not merely the cold opinion of my understanding, but the glowing expression of what I feel. It is my heart that speaks. I know I speak warmly, my Lords; but this warmth shall neither betray my argument nor my temper. The kingdom is in a flame. As mediators between the King and people, it is our duty to represent to him the true condition and temper of his subjects. It is a duty which no particular respect should hinder us from performing; and whenever his Majesty shall demand our advice, it will then be our duty to inquire more minutely into the causes of the present discontents. Whenever that inquiry shall come on, I pledge myself to the House to prove that, since the first institution of the House of Commons, not a single precedent can be produced to justify their late proceedings. My noble and learned friend (the Lord Chancellor Camden) has pledged himself to the House that he will support that assertion.

My Lords, the character and circumstances of Mr. Wilkes have been very improperly introduced

into this question, not only here, but in that court of judicature where his cause was tried — I mean the House of Commons. With one party he was a patriot of the first magnitude; with the other, the vilest incendiary. For my own part, I consider him merely and indifferently as an English subject, possessed of certain rights which the laws have given him, and which the laws alone can take from him. I am neither moved by his private vices nor by his public merits. In his person, though he were the worst of men, I contend for the safety and security of the best. God forbid, my Lords, that there should be a power in this country of measuring the civil rights of the subject by his moral character, or by any other rule but the fixed laws of the land! I believe, my Lords, I shall not be suspected of any personal partiality to this unhappy man. I am not very conversant in pamphlets or newspapers; but, from what I have heard, and from the little I have read, I may venture to affirm that I have had my share in the compliments which have come from that quarter. As for motives of ambition (for I must take to myself a part of the noble Duke's insinuation), I believe, my Lords, there have been times in which I have had the honor of standing in such favor in the closet that there must have been something extravagantly unreasonable in my wishes if they might not all have been gratified. After neglecting

those opportunities, I am now suspected of coming forward, in the decline of life, in the anxious pursuit of wealth and power which it is impossible for me to enjoy. Be it so! There is one ambition, at least, which I ever will acknowledge, which I will not renounce but with my life. It is the ambition of delivering to my posterity those rights of freedom which I have received from my ancestors. I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this House may constitutionally interpose in their defence, and what kind of redress this case will require and admit of, is not at present the subject of our consideration. The amendment, if agreed to, will naturally lead us to such an inquiry. That inquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead us, perhaps, to desire a conference with the other House; which one noble Lord affirms is the only parliamentary way of proceeding, and which another noble Lord assures us the House of Commons would either not come to, or would break off with indignation. Leaving their Lordships to reconcile that matter between themselves, I shall only say that, before we have inquired, we cannot be provided with materials; consequently, we are not at present prepared for a conference.

It is not impossible, my Lords, that the inquiry I speak of may lead us to advise his Majesty to

dissolve the present Parliament; nor have I any doubt of our right to give that advice, if we should think it necessary. His Majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the House of Commons in the exercise of the legislative power, which heretofore abolished the House of Lords and overturned the monarchy. I willingly acquit the present House of Commons of having actually formed so detestable design; but they cannot themselves foresee to what excesses they may be carried hereafter; and, for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the minds of those who possess it; and this I know, my Lords, that where law ends, tyranny begins!

ON THE ADDRESS TO THE THRONE

Earl of Chatham.

The following speech was the last but one, and perhaps the greatest, ever delivered by Lord Chatham. His health had been failing for some time, but when the Address to the Throne was moved on Nov. 18, 1777, he became imbued with all the forces that were wont to animate him in his prime, and he opposed the motion with the utmost vigor and eloquence. Although the effort was not effectual in result, it holds deserved place among the noblest orations of all time. It is a magnificent arraignment of the weakness of the ministry, a splendid appeal against the mistakes and crimes of the Government. It has all the torrential eloquence of the Demosthenian school. The occasion called loudly for one who could fitly present it, and this was found in the man who was even then on the verge of the grave. The mingled sadness and indignation which struggle for utterance are especially noticeable, bearing with them the evidence of feeling and conviction. Altogether, it may be safely asserted that this speech is the finest ever delivered by one of the most famous of orators, and is a model of indignant, reprobatory, and prophetic eloquence.

I RISE, my Lords, to declare my sentiments on this most solemn and serious subject. It has imposed a load upon my mind, which, I fear, nothing can remove, but which impels me to endeavor its alleviation by a free and unreserved communication of my sentiments.

In the first part of the address, I have the honor of heartily concurring with the noble Earl who moved it. No man feels sincerer joy than I do;

none can offer more genuine congratulations on every accession of strength to the Protestant succession. I therefore join in every congratulation on the birth of another princess and the happy recovery of her Majesty.

But I must stop here. My courtly complaisance will carry me no further. I will not join in congratulation on misfortune and disgrace. I cannot concur in a blind and servile address, which approves, and endeavors to sanctify, the monstrous measures which have heaped disgrace and misfortune upon us. This, my Lords, is a perilous and tremendous moment! It is not a time for adulation. The smoothness of flattery cannot now avail — cannot save us in this rugged and awful crisis. It is now necessary to instruct the Throne in the language of truth. We must dispel the illusion and the darkness which envelop it, and display, in its full danger and true colors, the ruin that is brought to our doors.

This, my Lords, is our duty. It is the proper function of this noble assembly, sitting, as we do, upon our honors in this House, the hereditary council of the Crown. Who is the minister — where is the minister, that has dared to suggest to the Throne the contrary, unconstitutional language this day delivered from it? The accustomed language from the Throne has been application to Parliament for advice, and a reliance on its constitutional advice and assistance. As it is the

right of Parliament to give, so it is the duty of the Crown to ask it. But on this day, and in this extreme momentous exigency, no reliance is reposed on our constitutional counsels! no advice is asked from the sober and enlightened care of Parliament! but the Crown, from itself and by itself, declares an unalterable determination to pursue measures — and what measures, my Lords? The measures that have produced the imminent perils that threaten us; the measures that have brought ruin to our doors.

Can the minister of the day now presume to expect a continuance of support in this ruinous infatuation? Can Parliament be so dead to its dignity and its duty as to be thus deluded into the loss of the one and the violation of the other? To give an unlimited credit and support for the steady perseverance in measures not proposed for our parliamentary advice, but dictated and forced upon us —in measures, I say, my Lords, which have reduced this late flourishing Empire to ruin and contempt! "But yesterday, and England might have stood against the world: now none so poor to do her reverence." I use the words of a poet; but, though it be poetry, it is no fiction. It is a shameful truth, that not only the power and strength of this country are wasting away and expiring, but her well-earned glories, her true honor, and substantial dignity are sacrificed.

France, my Lords, has insulted you: she has encouraged and sustained America; and, whether America be wrong or right, the dignity of this country ought to spurn at the officious insult of French interference. The ministers and embassadors of those who are called rebels and enemies are in Paris; in Paris they transact the reciprocal interests of America and France. Can there be a more mortifying insult? Can even our ministers sustain a more humiliating disgrace? Do they dare to resent it? Do they presume even to hint a vindication of their honor, and the dignity of the State, by requiring the dismission of the plenipotentiaries of America? Such is the degradation to which they have reduced the glories of England! The people whom they affect to call contemptible rebels, but whose growing power has at last obtained the name of enemies; the people with whom they have engaged this country in war, and against whom they now command our implicit support in every measure of desperate hostility — this people, despised as rebels, or acknowledged as enemies, are abetted against you, supplied with every military store, their interests consulted, and their embassadors entertained, by your inveterate enemy! and our ministers dare not interpose with dignity or effect. Is this the honor of a great kingdom? Is this the indignant spirit of England, who "but yesterday" gave law to the house of Bourbon?

My Lords, the dignity of nations demands a decisive conduct in a situation like this. Even when the greatest prince that perhaps this country ever saw filled our throne, the requisition of a Spanish general, on a similar subject, was attended to, and complied with; for, on the spirited remonstrance of the Duke of Alva, Elizabeth found herself obliged to deny the Flemish exiles all countenance, support, or even entrance into her dominions; and the Count Le Marque, with his few desperate followers, was expelled the kingdom. Happening to arrive at the Brille, and finding it weak in defence, they made themselves masters of the place; and this was the foundation of the United Province.

My Lords, this ruinous and ignominious situation, where we cannot act with success, nor suffer with honor, calls upon us to remonstrate in the strongest and loudest language of truth, to rescue the ear of majesty from the delusions which surround it. The desperate state of our arms abroad is in part known. No man thinks more highly of them than I do. I love and honor the English troops. I know their virtues and their valor. I know they can achieve anything except impossibilities; and I know that the conquest of English America is an impossibility. You cannot—I venture to say it—you cannot conquer America. Your armies last war effected everything that could

be effected ; and what was it ? It cost a numerous army, under the command of a most able general, now a noble Lord in this House, a long and laborious campaign, to expel five thousand Frenchmen from French America. My Lords, you cannot conquer America. What is your present situation there ? We do not know the worst ; but we know that in three campaigns we have done nothing and suffered much. Besides the suffering perhaps total loss of the northern force, the best-appointed army that ever took the field, commanded by Sir William Howe, has retired from the American lines. He was obliged to relinquish his attempt, and with great delay and danger to adopt a new and distant plan of operations. We shall soon know, and in any event have reason to lament, what may have happened since. As to conquest, therefore, my Lords, I repeat, it is impossible. You may swell every expense and every effort still more extravagantly ; pile and accumulate every assistance you can buy or borrow ; traffic and barter with every little pitiful German prince that sells and sends his subjects to the shambles of a foreign prince : your efforts are forever vain and impotent — doubly so from this mercenary aid on which you rely ; for it irritates, to an incurable resentment, the minds of your enemies, to overrun them with the mercenary sons of rapine and plunder, devoting them and their possessions to

the rapacity of hireling cruelty! If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms — never — never — never!

Your own army is affected with the contagion of these illiberal allies. The spirit of plunder and of rapine is gone forth among them. I know it; and, notwithstanding what the noble Earl [Lord Percy] who moved the address has given as his opinion of the American army, I know from authentic information, and the most experienced officers, that our discipline is deeply wounded. While this is notoriously our sinking situation, America grows and flourishes; while our strength and discipline are lowered, hers are rising and improving.

But, my Lords, who is the man that, in addition to these disgraces and mischiefs of our army, has dared to authorize and associate to our arms the tomahawk and scalping-knife of the savage; to call into civilized alliance the wild and inhuman savage of the woods; to delegate to the merciless Indian the defence of disputed rights, and to wage the horrors of this barbarous war against our brethren? My Lords, these enormities cry aloud for redress and punishment. Unless thoroughly done away, it will be a stain on the national character. It is a violation of the Constitution. I believe it is against law. It is not the least of our

national misfortunes that the strength and character of our army are thus impaired. Infected with the mercenary spirit of robbery and rapine, familiarized to the horrid scenes of savage cruelty, it can no longer boast of the noble and generous principles which dignify a soldier, no longer sympathize with the dignity of the royal banner, nor feel the pride, pomp, and circumstance of glorious war, "that make ambition virtue!" What makes ambition virtue?—the sense of honor. But is the sense of honor consistent with a spirit of plunder, or the practice of murder? Can it flow from mercenary motives, or can it prompt to cruel deeds? Besides these murderers and plunderers, let me ask our ministers what other allies have they acquired? What other powers have they associated to their cause? Have they entered into alliance with the king of the gipsies? Nothing, my Lords, is too low or too ludicrous to be consistent with their counsels.

The independent views of America have been stated and asserted as the foundation of this address. My Lords, no man wishes for the due dependence of America on this country more than I do. To preserve it, and not confirm that state of independence into which your measures hitherto have driven them, is the object which we ought to unite in attaining. The Americans, contending for their rights against arbitrary exactions, I love

and admire. It is the struggle of free and virtuous patriots. But, contending for independency and total disconnection from England, as an Englishman, I cannot wish them success; for in a due constitutional dependency, including the ancient supremacy of this country in regulating their commerce and navigation, consists the mutual happiness and prosperity both of England and America. She derived assistance and protection from us; and we reaped from her the most important advantages. She was, indeed, the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power. It is our duty, therefore, my Lords, if we wish to save our country, most seriously to endeavor the recovery of these most beneficial subjects; and in this perilous crisis, perhaps the present moment may be the only one in which we can hope for success. For in their negotiations with France they have, or think they have, reason to complain; though it be notorious that they have received from that power important supplies and assistance of various kinds, yet it is certain they expected it in a more decisive and immediate degree. America is in ill-humor with France; on some points they have not entirely answered her expectations. Let us wisely take advantage of every possible moment of reconciliation. Besides, the natural disposition of America herself still leans toward

England; to the old habits of connection and mutual interest that united both countries. This was the established sentiment of all the continent; and still, my Lords, in the great and principal part, the sound part of America, this wise and affectionate disposition prevails. And there is a very considerable part of America yet sound—the middle and the southern provinces. Some parts may be factious and blind to their true interests; but if we express a wise and benevolent disposition to communicate to them those immutable rights of nature and those constitutional liberties to which they are equally entitled with ourselves, by a conduct so just and humane we shall confirm the favorable and conciliate the adverse. I say, my Lords, the rights and liberties to which they are equally entitled with ourselves, but no more. I would participate to them every enjoyment and freedom which the colonizing subjects of a free state can possess, or wish to possess; and I do not see why they should not enjoy every fundamental right in their property, and every original substantial liberty, which Devonshire, or Surrey, or the county I live in, or any other county in England, can claim; reserving always, as the sacred right of the mother country, the due constitutional dependency of the colonies. The inherent supremacy of the State in regulating and protecting the navigation and commerce of all her

subjects is necessary for the mutual benefit and preservation of every part, to constitute and preserve the prosperous arrangement of the whole empire.

The sound parts of America, of which I have spoken, must be sensible of these great truths and of their real interests. America is not in that state of desperate and contemptible rebellion which this country has been deluded to believe. It is not a wild and lawless banditti, who, having nothing to lose, might hope to snatch something from public convulsions. Many of their leaders and great men have a great stake in this great contest. The gentleman who conducts their armies, I am told, has an estate of four or five thousand pounds a year; and when I consider these things, I cannot but lament the inconsiderate violence of our penal acts, our declarations of treason and rebellion, with all the fatal effects of attainder and confiscation.

As to the disposition of foreign powers, which is asserted [in the King's speech] to be pacific and friendly, let us judge, my Lords, rather by their actions and the nature of things than by interested assertions. The uniform assistance supplied to America by France suggests a different conclusion. The most important interests of France in aggrandizing and enriching herself with what she most wants, supplies of every naval

store from America, must inspire her with different sentiments. The extraordinary preparations of the house of Bourbon, by land and by sea, from Dunkirk to the Straits, equally ready and willing to overwhelm these defenceless islands, should rouse us to a sense of their real disposition and our own danger. Not five thousand troops in England! hardly three thousand in Ireland! What can we oppose to the combined force of our enemies? Scarcely twenty ships of the line so fully or sufficiently manned that any admiral's reputation would permit him to take the command of! The river of Lisbon in the possession of our enemies! The sea swept by American privateers! Our Channel trade torn to pieces by them! In this complicated crisis of danger, weakness at home, and calamity abroad, terrified and insulted by the neighboring powers, unable to act in America, or acting only to be destroyed, where is the man with the forehead to promise or hope for success in such a situation, or from perseverance in the measures that have driven us to it? Who has the forehead to do so? Where is that man? I should be glad to see his face.

You cannot conciliate America by your present measures. You cannot subdue her by your present or by any measures. What, then, can you do? You cannot conquer; you cannot gain; but you can address; you can lull the fears and anxieties

of the moment into an ignorance of the danger that should produce them. But, my Lords, the time demands the language of truth. We must not now apply the flattering unction of servile compliance or blind complaisance. In a just and necessary war, to maintain the rights or honor of my country, I would strip the shirt from my back to support it. But in such a war as this, unjust in its principle, impracticable in its means, and ruinous in its consequences, I would not contribute a single effort nor a single shilling. I do not call for vengeance on the heads of those who have been guilty; I only recommend to them to make their retreat. Let them walk off; and let them make haste, or they may be assured that speedy and condign punishment will overtake them.

My Lords, I have submitted to you, with the freedom and truth which I think my duty, my sentiments on your present awful situation. I have laid before you the ruin of your power, the disgrace of your reputation, the pollution of your discipline, the contamination of your morals, the complication of calamities, foreign and domestic, that overwhelm your sinking country. Your dearest interests, your own liberties, the Constitution itself, totter to the foundation. All this disgraceful danger, this multitude of misery, is the monstrous offspring of this unnatural war. We have been deceived and deluded too long. Let us now

stop short. This is the crisis—the only crisis of time and situation, to give us a possibility of escape from the fatal effects of our delusions. But if, in an obstinate and infatuated perseverance in folly, we slavishly echo the peremptory words this day presented to us, nothing can save this devoted country from complete and final ruin. We madly rush into multiplied miseries, and "confusion worse confounded."

Is it possible, can it be believed, that ministers are yet blind to this impending destruction? I did hope that, instead of this false and empty vanity, this overweening pride, engendering high conceits and presumptuous imaginations, ministers would have humbled themselves in their errors, would have confessed and retracted them, and, by an active though a late repentance, have endeavored to redeem them. But, my Lords, since they had neither sagacity to foresee, nor justice nor humanity to shun these oppressive calamities—since not even severe experience can make them feel, nor the imminent ruin of their country awaken them from their stupefaction, the guardian care of Parliament must interpose. I shall therefore, my Lords, propose to you an amendment of the address to his Majesty, to be inserted immediately after the two first paragraphs of congratulation on the birth of a princess, to recommend an immediate cessation of hostilities, and the commencement of

a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. This, my Lords, is yet in our power; and let not the wisdom and justice of your Lordships neglect the happy, and perhaps the only, opportunity. By the establishment of irrevocable law, founded on mutual rights, and ascertained by treaty, these glorious enjoyments may be firmly perpetuated. And let me repeat to your Lordships, that the strong bias of America, at least of the wise and sounder parts of it, naturally inclines to this happy and constitutional reconnection with you. Notwithstanding the temporary intrigues with France, we may still be assured of their ancient and confirmed partiality to us. America and France cannot be congenial. There is something decisive and confirmed in the honest American, that will not assimilate to the futility and levity of the Frenchman.

My Lords, to encourage and confirm that innate inclination to this country, founded on every principle of affection, as well as consideration of interest; to restore that favorable disposition into a permanent and powerful reunion with this country; to revive the mutual strength of the Empire; again to awe the house of Bourbon, instead of meanly truckling, as our present calamities compel us, to every insult of French caprice and Spanish

punctilio; to reëstablish our commerce; to reassert our rights and our honor; to confirm our interests, and renew our glories forever — a consummation most devoutly to be endeavored! and which, I trust, may yet arise from reconciliation with America — I have the honor of submitting to you the following amendment, which I move to be inserted after the two first paragraphs of the address:

"And that this House does most humbly advise and supplicate his Majesty to be pleased to cause the most speedy and effectual measures to be taken for restoring peace in America; and that no time may be lost in proposing an immediate cessation of hostilities there, in order to the opening of a treaty for the final settlement of the tranquillity of these invaluable provinces, by a removal of the unhappy causes of this ruinous civil war, and by a just and adequate security against the return of the like calamities in times to come. And this House desire to offer the most dutiful assurances to his Majesty, that they will, in due time, cheerfully coöperate with the magnanimity and tender goodness of his Majesty for the preservation of his people, by such explicit and most solemn declarations, and provisions of fundamental and irrevocable laws, as may be judged necessary for the ascertaining and fixing forever the respective rights of Great Britain and her colonies."

[In the course of this debate Lord Suffolk, Secretary for the Northern Department, undertook to defend the employment of the Indians in the war. His Lordship contended, besides its *policy* and *necessity*, the measure was also allowable on *principle*; for it was "perfectly justifiable to use all the means that *God and nature put into our hands!*" Lord Chatham replied as follows:]

I am astonished! shocked! to hear such principles confessed—to hear them avowed in this House, or in this country; principles equally unconstitutional, inhuman, and unchristian!

My Lords, I did not intend to have encroached again upon your attention, but I cannot repress my indignation. I feel myself impelled by every duty. My Lords, we are called upon as members of this House, as men, as Christian men, to protest against such notions standing near the throne, polluting the ear of Majesty. "That God and nature put into our hands!" I know not what ideas that Lord may entertain of God and nature, but I know that such abominable principles are equally abhorrent to religion and humanity. What! to attribute the sacred sanction of God and nature to the massacres of the Indian scalping-knife—to the cannibal savage torturing, murdering, roasting, and eating—literally, my Lords, eating the mangled victims of his barbarous battles! Such horrible notions shock every precept of religion, divine or natural,

and every generous feeling of humanity. And, my Lords, they shock every sentiment of honor; they shock me as a lover of honorable war, and a detester of murderous barbarity.

These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon that right reverend bench, those holy ministers of the Gospel, and pious pastors of our Church — I conjure them to join in the holy work, and vindicate the religion of their God. I appeal to the wisdom and the law of this learned bench to defend and support the justice of their country. I call upon the bishops to interpose the unsullied sanctity of their laws; upon the learned judges, to interpose the purity of their ermine, to save us from this pollution. I call upon the honor of your Lordships to reverence the dignity of your ancestors, and to maintain your own. I call upon the spirit and humanity of my country to vindicate the national character. I invoke the genius of the Constitution. From the tapestry that adorns these walls the immortal ancestor of this noble Lord frowns with indignation at the disgrace of his country. In vain he led your victorious fleets against the boasted Armada of Spain; in vain he defended and established the honor, the liberties, the religion — the Protestant religion — of this country, against the arbitrary cruelties of popery and the

Inquisition, if these more than popish cruelties and inquisitorial practices are let loose among us — to turn forth into our settlements, among our ancient connections, friends, and relations, the merciless cannibal, thirsting for the blood of man, woman, and child! to send forth the infidel savage—against whom? against your Protestant brethren; to lay waste their country, to desolate their dwellings, and extirpate their race and name with these horrible hell-hounds of savage war — hell-hounds, I say, of savage war! Spain armed herself with bloodhounds to extirpate the wretched natives of America, and we improve on the inhuman example of Spanish cruelty; we turn loose these savage hell-hounds against our brethren and countrymen in America, of the same language, laws, liberties, and religion, endeared to us by every tie that should sanctify humanity.

My Lords, this awful subject, so important to our honor, our Constitution, and our religion, demands the most solemn and effectual inquiry. And I again call upon your Lordships, and the united powers of the State, to examine it thoroughly and decisively, and to stamp upon it an indelible stigma of the public abhorrence. And I again implore those holy prelates of our religion to do away these iniquities from among us. Let them perform a lustration; let them purify this House, and this country, from this sin.

My Lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles.

WILLIAM MURRAY, EARL OF MANSFIELD

William Murray, one of the most distinguished of English forensic orators, was born at Perth in 1704. He was educated at Oxford, taking the degree of M.A. in 1730, and was called to the bar in 1731. He soon achieved high standing in his profession, as, besides being erudite in the law, he was a powerful and persuasive speaker. In 1743 he was made Solicitor-General, and also member for Boroughbridge. In 1754 he became King's Attorney, and might have aspired to high political honors, but was distrustful of his abilities as a party leader. In 1756 he became Chief Justice of the King's Bench, at the same time entering the House of Lords as Baron Mansfield. He espoused the unpopular cause, and was severely stigmatized by Junius, and his house and valuable library were burned during the "no popery" riots of 1780. In 1788 he retired from the bench, after an honorable and arduous career as judge. He died in 1793, in the eighty-ninth year of his age. The Earl was considered the founder of English mercantile law, which he codified, and his knowledge of Roman and foreign law was profound. His general education was scholarly, and his intelligence of the highest order.

Mansfield's forensic eloquence is in many respects a model. He led rather than impelled, letting his hearers apparently form their own conclusions in advance of him. To a sure grasp of the salient points of his subject he united a breadth of view and nobility of diction rarely equalled. He was at times too studied in his effects, but he was always most skilful in the sequence and keenness of his points, and his presentation of a subject was marked by lucidity and completeness.

Lord Campbell's *Lives of the Chief Justices* contains a most interesting biography of Lord Mansfield.

ON THE PRIVILEGES OF PEERS

Earl of Mansfield.

The speech made by Lord Mansfield in 1770 on the question of depriving peers of the realm of some of their privileges is the most satisfactory extant specimen of his style as a parliamentary orator. It is easy and conversational throughout, yet does not lack grace and polish. It is felicitous in its method of presenting the case, and its English is so pure and chaste as to make it a literary model. There is no straining after effect, but all is coherent and reasonable. It was eminently suited to the occasion, and was effective in carrying the measure.

MY Lords,—When I consider the importance of this bill to your Lordships, I am not surprised it has taken so much of your consideration. It is a bill, indeed, of no common magnitude. It is no less than to take away from two thirds of the legislative body of this great kingdom certain privileges and immunities of which they have been long possessed. Perhaps there is no situation the human mind can be placed in that is so difficult, and so trying, as where it is made a judge in its own cause. There is something implanted in the breast of man so attached to itself, so tenacious of privileges once obtained, that, in such a situation, either to discuss with impartiality, or decide with justice, has ever been held as the summit of all

human virtue. The bill now in question puts your Lordships in this very predicament; and I doubt not but that the wisdom of your decision will convince the world, that, where self-interest and justice are in opposite scales, the latter will ever predominate with your Lordships.

Privileges have been granted to legislators in all ages and in all countries. The practice is founded in wisdom; and, indeed, it is peculiarly essential to the Constitution of this country that the members of both Houses should be free in their persons in cases of civil suits; for there may come a time when the safety and welfare of this whole Empire may depend upon their attendance in Parliament. God forbid that I should advise any measure that would in future endanger the State. But the bill before your Lordships has, I am confident, no such tendency, for it expressly secures the persons of members of either House in all civil suits. This being the case, I confess, when I see many noble Lords, for whose judgment I have the greatest respect, standing up to oppose a bill which is calculated merely to facilitate the recovery of just and legal debts, I am astonished and amazed. They, I doubt not, oppose the bill upon public principles. I would not wish to insinuate that private interest has the least weight in their determination.

This bill has been frequently proposed, and as frequently miscarried; but it was always lost in

William Murray, Earl of Mansfield.

After the portrait by J. Collyer.

WILLIAM EARL of MANSFIELD.

the lower House. Little did I think, when it had passed the Commons, that it possibly could have met with such opposition here. Shall it be said that you, my Lords, the grand council of the nation, the highest judicial and legislative body of the realm, endeavor to evade by privilege those very laws which you enforce on your fellow-subjects? Forbid it, Justice! I am sure, were the noble Lords as well acquainted as I am with but half the difficulties and delays that are every day occasioned in the courts of justice, under pretence of privilege, they would not, nay, they could not, oppose this bill.

I have waited with patience to hear what arguments might be urged against the bill; but I have waited in vain. The truth is, there is no argument that can weigh against it. The justice and expediency of this bill are such as render it self-evident. It is a proposition of that nature that can neither be weakened by argument, nor entangled with sophistry. Much, indeed, has been said by some noble Lords on the wisdom of our ancestors, and how differently they thought from us. They not only decreed that privilege should prevent all civil suits from proceeding during the sitting of Parliament, but likewise granted protection to the very servants of members. I shall say nothing on the wisdom of our ancestors. It might perhaps appear invidious, and is not necessary in the

present case. I shall only say that the noble Lords that flatter themselves with the weight of that reflection should remember that, as circumstances alter, things themselves should alter. Formerly it was not so fashionable either for masters or servants to run in debt as it is at present; nor formerly were merchants and manufacturers members of Parliament, as at present. The case now is very different. Both merchants and manufacturers are, with great propriety, elected members of the lower House. Commerce having thus got into the legislative body of the kingdom, privilege must be done away. We all know that the very soul and essence of trade are regular payments; and sad experience teaches us that there are men who will not make their regular payments without the compulsive power of the laws. The law, then, ought to be equally open to all. Any exemption to particular men, or particular ranks of men, is, in a free commercial country, a solecism of the grossest nature.

But I will not trouble your Lordships with arguments for that which is sufficiently evident without any. I shall only say a few words to some noble Lords, who foresee much inconvenience from the persons of their servants being liable to be arrested. One noble Lord observes that the coachman of a peer may be arrested while he is driving his master to the House, and consequently

he will not be able to attend to his duty in Parliament. If this was actually to happen, there are so many methods by which the member might still get to the House, I can hardly think the noble Lord to be serious in his objection. Another noble Lord said that by this bill one might lose his most valuable and honest servants. This I hold to be a contradiction in terms; for he neither can be a valuable servant, nor an honest man, who gets into debt, which he neither is able nor willing to pay till compelled by law. If my servant, by unforeseen accidents, has got in debt, and I still wish to retain him, I certainly would pay the debt. But upon no principle of liberal legislation whatever can my servant have a title to set his creditors at defiance, while, for forty shillings only, the honest tradesman may be torn from his family and locked up in jail. It is monstrous injustice! I flatter myself, however, the determination of this day will entirely put an end to all such partial proceedings for the future, by passing into a law the bill now under your Lordships' consideration.

I now come to speak upon what, indeed, I would have gladly avoided, had I not been particularly pointed at for the part I have taken in this bill. It has been said by a noble Lord on my left hand that I likewise am running the race of popularity. If the noble Lord means by popularity

that applause bestowed by after-ages on good and virtuous actions, I have long been struggling in that race, to what purpose all-trying time can alone determine. But if the noble Lord means that mushroom popularity which is raised without merit, and lost without a crime, he is much mistaken in his opinion. I defy the noble Lord to point out a single action in my life where the popularity of the times ever had the smallest influence on my determinations. I thank God I have a more permanent and steady rule for my conduct —the dictates of my own breast. Those that have foregone that pleasing adviser, and given up their mind to be the slave of every popular impulse, I sincerely pity. I pity them still more if their vanity leads them to mistake the shouts of a mob for the trumpet of their fame. Experience might inform them that many who have been saluted with the huzzas of a crowd one day have received their execrations the next; and many who, by the popularity of their times, have been held up as spotless patriots, have nevertheless appeared upon the historian's page, when truth has triumphed over delusion, the assassins of liberty.

Why, then, the noble Lord can think I am ambitious of present popularity, that echo of folly and shadow of renown, I am at a loss to determine. Besides, I do not know that the bill now before

your Lordships will be popular. It depends much upon the caprice of the day. It may not be popular to compel people to pay their debts; and in that case the present must be an unpopular bill. It may not be popular, either, to take away any of the privileges of Parliament; for I very well remember, and many of your Lordships may remember, that not long ago the popular cry was for the extension of privilege. And so far did they carry it at that time that it was said that privilege protected members from criminal actions; nay, such was the power of popular prejudices over weak minds that the very decisions of some of the courts were tinctured with that doctrine. It was undoubtedly an abominable doctrine! I thought so then, and think so still. But, nevertheless, it was a popular doctrine, and came immediately from those who were called the friends of liberty, how deservedly time will show. True liberty, in my opinion, can only exist when justice is equally administered to all—to the king and to the beggar. Where is the justice, then, or where is the law, that protects a member of Parliament more than any other man from the punishment due to his crimes? The laws of this country allow no place nor employment to be a sanctuary for crimes; and where I have the honor to sit as judge, neither royal favor nor popular applause shall ever protect the guilty.

I have now only to beg pardon for having employed so much of your Lordships' time; and I am very sorry a bill fraught with so good consequences has not met with an abler advocate; but I doubt not your Lordships' determination will convince the world that a bill, calculated to contribute so much to the equal distribution of justice as the present, requires, with your Lordships, but very little support.

EDMUND BURKE

Edmund Burke was born in Dublin in 1730, his father being a well-known attorney. Even as a boy, he gave promise of the powers which afterwards made him so distinguished. He was educated at the University of Dublin, receiving the degree of M.A. in 1751. From that date to 1756 he was engaged in writing for various periodicals and in cultivating the society of distinguished men. His essays soon gained him notoriety, and he was considered one of the most graceful writers of his day. After filling the position of secretary to "Single-Speech Hamilton" and the Marquis of Rockingham, Burke entered Parliament in 1766. He soon won the title of the "first man in the Commons." His eloquence attracted crowds at first, though his attractions as a speaker waned before the end of his career. But his reputation as a moderate and honorable statesman remained steadfast. He was the chief cause of the reaction against the slave-trade, which culminated in the hands of Wilberforce. He warmly espoused the cause of the distressed natives of India against their oppressors. He was a main instrument in the impeachment of Warren Hastings, and his speeches in that famous trial—which lasted seven years—are among his ablest. He advocated towards the American colonies conciliatory measures, which might, had they been adopted, have averted the war. In short, he was always to be found on the side of justice and right. He died in 1797.

Burke was perhaps the most gifted of English orators, yet his powers were more literary than forensic. His language was invariably chaste and lucid, his arguments sequent and logical, his satire pointed yet devoid of malignity, his invective forceful and telling, his imagery bold and graceful, and his speeches were adorned with apt classical allusions and quotations. Yet with all this he failed, after the novelty had

worn away, to hold attention, and more frequently emptied than filled the benches of the House when he rose to speak. As literature, his orations are admirable ; as oratory, they fail in essential points. They carried no conviction ; they lacked the passion and fire, whether patent or repressed, that alone can sway an audience. Their very beauties militated against their effectiveness, giving evidence of artificiality rather than spontaneity, and their smoothness sometimes degenerated into dulness. To the student of rhetoric the work of Burke is in many respects admirable as a model ; but to the seeker after oratorical excellence, it is a model to be shunned.

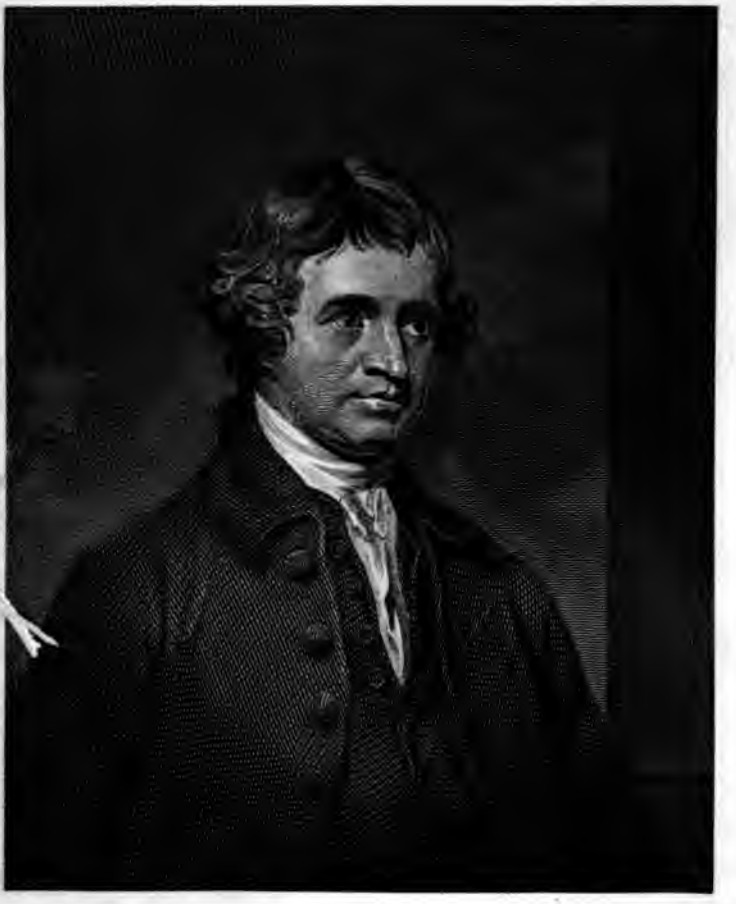
The Speeches of the Right Hon. Edmund Burke in the House of Commons and Westminster Hall (4 vols., 1816) is the fullest report of his orations. Of his political pamphlets, the *Observations on a Late State of the Nation* (1769), *On Conciliation* (1775), and *Letters on the Trade of Ireland* (1778) are the most interesting. His best-known essay is the *Philosophical Inquiry into the Origin of our Ideas on the Sublime and the Beautiful,* which attracted attention from Lessing and Mendelssohn. The fullest biography is the *History of the Life and Times of Edmund Burke* (3 vols., 1858), by Thomas Macknight.

ON THE NABOB OF ARCOT'S DEBTS

Edmund Burke.

The occasion of the speech of Burke on the subject of the Nabob of Arcot's debts was the act of the Board of Control created by a bill, drawn by Pitt, allowing the claims of certain unprincipled speculators in India for the amount of four million pounds sterling. The speech itself goes so fully into the origin and character of these debts that there is no need to dwell upon them here. The subject was opened by Fox in a powerful speech, and continued by Dundas. Rumbold next spoke, and was followed by Burke, who spoke for five hours, amid unsuppressed signs of weariness in the House, which had already called for the question to be put. But Burke persisted, and although the speech at the time produced no impression, it afterward became known as the finest of his efforts. Yet, as was the case with most of his speeches, it is very uneven. In parts, as in the description of the invasion of Hyder Ali, it rises to a high plane of eloquence,—though even here he speaks of a "menacing meteor which blackened all the horizon,"—but in other places it does not escape the commonplace. At times it is coarse in its language, and its satire is invariably wearisome. Yet it is indeed a notable effort, and in the profusion of its imagery and the general grace of its diction it challenges comparison with most speeches of its length.

THE times we live in, Mr. Speaker, have been distinguished by extraordinary events. Habituated, as we are, to uncommon combinations of men and of affairs, I believe nobody recollects anything more surprising than the spectacle of this day. The right honorable gentleman, whose conduct is now in question, formerly stood forth in this House, the prosecutor of the worthy baronet



tive to them would be mischievous to the State. He did not tell us that those who would inquire into his proceedings were disposed to dismember the Empire. He had not the presumption to say that, for his part, having obtained, in his Indian presidency, the ultimate object of his ambition, his honor was concerned in executing with integrity the trust which had been legally committed to his charge. That others, not having been so fortunate, could not be so disinterested; and therefore their accusations could spring from no other source than faction, and envy to his fortune.

Had he been frontless enough to hold such vain, vaporing language in the face of a grave, a detailed, a specified matter of accusation, whilst he violently resisted everything which could bring the merits of his cause to the test: had he been wild enough to anticipate the absurdities of this day—that is, had he inferred, as his late accuser has thought proper to do, that he could not have been guilty of malversation in office, for this sole and curious reason, that he had been in office: had he argued the impossibility of his abusing his power on this sole principle, that he had power to abuse: he would have left but one impression on the mind of every man who heard him, and who believed him in his senses—that in the utmost extent he was guilty of the charge.

But, Sir, leaving these two gentlemen to alter-

nate, as criminal and accuser, upon what principles they think expedient, it is for us to consider whether the Chancellor of the Exchequer, and the Treasurer of the Navy, acting as a board of control, are justified by law or policy in suspending the legal arrangements made by the court of directors, in order to transfer the public revenues to the private emolument of certain servants of the East India Company, without the inquiry into the origin and justice of their claims prescribed by an Act of Parliament?

It is not contended that the Act of Parliament did not expressly ordain an inquiry. It is not asserted that this inquiry was not, with equal precision of terms, specially committed under particular regulations to the court of directors. I conceive, therefore, the board of control had no right whatsoever to meddle in that business. There is nothing certain in the principles of jurisprudence, if this be not undeniably true, that when a special authority is given to any persons by name, to do some particular act, no others, by virtue of general powers, can obtain a legal title to obtrude themselves into that trust, and to exercise those special functions in their place. I therefore consider the intermeddling of ministers in this affair as a downright usurpation. But if the strained construction by which they have forced themselves into a suspicious office (which every man delicate with regard to

character would rather have sought constructions to avoid) were perfectly sound and perfectly legal, of this I am certain, that they cannot be justified in declining the inquiry which had been prescribed to the court of directors. If the board of control did lawfully possess the right of executing the special trust given to that court, they must take it as they found it, subject to the very same regulations which bound the court of directors. It will be allowed that the court of directors had no authority to dispense with either the substance, or the mode of inquiry, prescribed by the Act of Parliament. If they had not, where in the Act did the board of control acquire that capacity? Indeed, it was impossible they should acquire it. What must we think of the fabric and texture of an Act of Parliament which should find it necessary to prescribe a strict inquisition; that should descend into minute regulations for the conduct of that inquisition; that should commit this trust to a particular description of men, and in the very same breath should enable another body, at their own pleasure, to supersede all the provisions the legislature had made, and to defeat the whole purpose, end, and object of the law? This cannot be supposed even of an Act of Parliament conceived by the ministers themselves, and brought forth during the delirium of the last session.

My honorable friend has told you in the speech

which introduced his motion that fortunately this question is not a great deal involved in the labyrinths of Indian detail. Certainly not. But if it were, I beg leave to assure you that there is nothing in the Indian detail which is more difficult than in the detail of any other business. I admit, because I have some experience of the fact, that for the interior regulation of India a minute knowledge of India is requisite. But, on any specific matter of delinquency in its government, you are as capable of judging as if the same thing were done at your door. Fraud, injustice, oppression, peculation, engendered in India, are crimes of the same blood, family, and caste with those that are born and bred in England. To go no further than the case before us: you are just as competent to judge whether the sum of four millions sterling ought, or ought not, to be passed from the public treasury into a private pocket, without any title except the claim of the parties, when the issue of fact is laid in Madras, as when it is laid in Westminster. Terms of art, indeed, are different in different places, but they are generally understood in none. The technical style of an Indian treasury is not one jot more remote than the jargon of our own exchequer from the train of our ordinary ideas, or the idiom of our common language. The difference, therefore, in the two cases is not in the comparative difficulty or facility of the two subjects,

but in our attention to the one and our total neglect of the other. Had this attention and neglect been regulated by the value of the several objects, there would be nothing to complain of. But the reverse of that supposition is true. The scene of the Indian abuse is distant indeed; but we must not infer that the value of our interest in it is decreased in proportion as it recedes from our view. In our politics, as in our common conduct, we shall be worse than infants, if we do not put our sense under the tuition of our judgment, and effectually cure ourselves of that optical illusion which makes a briar at our nose of greater magnitude than an oak at five hundred yards distant.

I think I can trace all the calamities of this country to the single source of our not having had steadily before our eyes a general, comprehensive, well-connected, and well-proportioned view of the whole of our dominions, and a just sense of their true bearings and relations. After all its reductions, the British Empire is still vast and various. After all the reductions of the House of Commons (stripped as we are of our brightest ornaments, and of our most important privileges), enough are yet left to furnish us, if we please, with means of showing to the world that we deserve the superintendence of as large an empire as this kingdom ever held, and the continuance of as ample privileges as the House of Commons, in the

plenitude of its power, had been habituated to assert. But if we make ourselves too little for the sphere of our duty; if, on the contrary, we do not stretch and expand our minds to the compass of their object, be well assured that everything about us will dwindle by degrees, until at length our concerns are shrunk to the dimensions of our minds. It is not a predilection to mean, sordid, home-bred cares that will avert the consequences of a false estimation of our interest, or prevent the shameful dilapidation into which a great empire must fall, by mean reparations upon mighty ruins.

I confess I feel a degree of disgust, almost leading to despair, at the manner in which we are acting in the great exigencies of our country. There is now a bill in this House, appointing a rigid inquisition into the minutest detail of our offices at home. The collection of sixteen millions annually,—a collection on which the public greatness, safety, and credit have their reliance,—the whole order of criminal jurisprudence, which holds together society itself, have at no time obliged us to call forth such powers; no, nor anything like them. There is not a principle of the law and Constitution of this country that is not subverted to favor the execution of that project. And for what is all this apparatus of bustle and terror? Is it because anything substantial is expected from it? No. The stir and bustle itself is the end proposed. The eye-

servants of a short-sighted master will employ themselves, not on what is most essential to his affairs, but on what is nearest to his ken. Great difficulties have given a just value to economy; and our minister of the day must be an economist, whatever it may cost us. But where is he to exert his talents? At home, to be sure; for where else can he obtain a profitable credit for their exertion? It is nothing to him whether the object on which he works under our eye be promising or not. If he does not obtain any public benefit, he may make regulations without end. Those are sure to pay in present expectation, whilst the effect is at a distance, and may be the concern of other times and other men. On these principles he chooses to suppose (for he does not pretend more than to suppose) a naked possibility, that he shall draw some resource out of crumbs dropped from the trenchers of penury; that something shall be laid in store from the short allowance of revenue officers, overloaded with duty, and famished for want of bread—by a reduction from officers who are at this very hour ready to batter the treasury with what breaks through stone walls, for an increase of their appointments. From the marrowless bones of these skeleton establishments, by the use of every sort of cutting, and of every sort of fretting tool, he flatters himself that he may chip and rasp an empirical alimentary powder, to diet

task our faith, and to persuade ourselves that out of the surplus of deficiency, out of the savings of habitual and systematic prodigality, the minister of wonders will provide support for this nation, sinking under the mountainous load of two hundred and thirty millions of debt. But whilst we look with pain at his desperate and laborious trifling, whilst we are apprehensive that he will break his back in stooping to pick up chaff and straws, he recovers himself at an elastic bound, and with a broadcast swing of his arms he squanders over his Indian field a sum far greater than the clear produce of the whole hereditary revenue of the kingdom of Ireland.

Strange as this scheme of conduct in ministry is, and inconsistent with all just policy, it is still true to itself and faithful to its own perverted order. Those who are bountiful to crimes will be rigid to merit and penurious to service. Their penury is even held out as a blind and cover to their prodigality. The economy of injustice is to furnish resources for the fund of corruption. Then they pay off their protection to great crimes and great criminals by being inexorable to the paltry frailties of little men; and these modern flagellants are sure, with a rigid fidelity, to whip their own enormities on the vicarious back of every small offender.

It is to draw your attention to economy of quite

another order, it is to animadvert on offences of a far different description, that my honorable friend has brought before you the motion of this day. It is to perpetuate the abuses which are subverting the fabric of your Empire that the motion is opposed. It is therefore with reason (and if he has power to carry himself through, I commend his prudence) that the right honorable gentleman makes his stand at the very outset, and boldly refuses all parliamentary information. Let him admit but one step towards inquiry, and he is undone. You must be ignorant, or he cannot be safe. But before his curtain is let down, and the shades of eternal night shall veil our eastern dominions from our view, permit me, Sir, to avail myself of the means which were furnished in anxious and inquisitive times to demonstrate, out of this single act of the present minister, what advantages you are to derive from permitting the greatest concern of this nation to be separated from the cognizance, and exempted even out of the competence, of Parliament. The greatest body of your revenue, your most numerous armies, your most important commerce, the richest sources of your public credit, (contrary to every idea of the known settled policy of England,) are on the point of being converted into a mystery of state. You are going to have one half the globe hid even from the common liberal curiosity of an

English gentleman. Here a grand revolution commences. Mark the period, and mark the circumstances. In most of the capital changes that are recorded in the principles and system of any government, a public benefit of some kind or other has been pretended. The revolution commenced in something plausible, in something which carried the appearance at least of punishment of delinquency, or correction of abuse. But here, in the very moment of the conversion of a department of British government into an Indian mystery, and in the very act in which the change commences, a corrupt, private interest is set up in direct opposition to the necessities of the nation. A diversion is made of millions of the public money from the public treasury to a private purse. It is not into secret negotiations for war, peace, or alliance, that the House of Commons is forbidden to inquire. It is a matter of account; it is the demand of a suspected steward upon ruined tenants and an embarrassed master that the Commons of Great Britain are commanded not to inspect. The whole tenor of the right honorable gentleman's argument is consonant to the nature of his policy. The system of concealment is fostered by a system of falsehood. False facts, false colors, false names of persons and things, are its whole support.

Sir, I mean to follow the right honorable gentle-

man over that field of deception, clearing what he has purposely obscured, and fairly stating what it was necessary for him to misrepresent. For this purpose, it is necessary you should know, with some degree of distinctness, a little of the locality, the nature, the circumstances, the magnitude of the pretended debts on which this marvellous donation is founded, as well as of the persons from whom and by whom it is claimed.

Madras, with its dependencies, is the second (but with a long interval the second) member of the British Empire in the East. The trade of that city, and of the adjacent territory, was, not very long ago, among the most flourishing in Asia. But since the establishment of the British power, it has wasted away under a uniform, gradual decline; insomuch that in the year 1779 not one merchant of eminence was to be found in the whole country. During this period of decay, about six hundred thousand sterling pounds a year have been drawn off by English gentlemen on their private account, by the way of China alone. If we add four hundred thousand, as probably remitted through other channels, and in other mediums, that is, in jewels, gold, and silver directly brought to Europe, and in bills upon the British and foreign companies, you will scarcely think the matter overrated. If we fix the commencement of this extraction of money from the

Carnatic at a period no earlier than the year 1760, and close it in the year 1780, it probably will not amount to a great deal less than twenty millions of money.

During the deep silent flow of this steady stream of wealth which set from India into Europe, it generally passed on with no adequate observation; but happening at some periods to meet rifts of rocks that checked its course, it grew more noisy, and attracted more notice. The pecuniary discussions caused by part of the fortunes of their servants in a debt from the Nabob of Arcot, was the first thing which very particularly called for, and long engaged, the attention of the court of directors. This debt amounted to eight hundred and eighty thousand pounds sterling, and was claimed, for the greater part, by English gentlemen, residing at Madras. This grand capital, settled at length by order at ten per cent., afforded an annuity of eighty-eight thousand pounds.

Whilst the directors were digesting their astonishment at this information, a memorial was presented to them from three gentlemen, informing them that their friends had lent likewise, to merchants of Canton in China, a sum of not more than one million sterling. In this memorial they called upon the Company for their assistance and interposition with the Chinese government for the

recovery of the debt. This sum lent to Chinese merchants was at twenty-four per cent., which would yield, if paid, an annuity of two hundred and forty thousand pounds.

Perplexed as the directors were with these demands, you may conceive, Sir, that they did not find themselves very much disembarrassed by being made acquainted that they must again exert their influence for a new reserve of the happy parsimony of their servants, collected into a second debt from the Nabob of Arcot, amounting to two millions four hundred thousand pounds, settled at an interest of twelve per cent. This is known by the name of the Consolidation of 1777, as the former of the Nabob's debts was by the title of the Consolidation of 1767. To this was added, in a separate parcel, a little reserve called the cavalry debt, of one hundred and sixty thousand pounds, at the same interest. The whole of these four capitals, amounting to four millions four hundred and forty thousand pounds, produced at their several rates annuities amounting to six hundred and twenty-three thousand pounds a year; a good deal more than one third of the clear land-tax of England, at four shillings in the pound; a good deal more than double the whole annual dividend of the East India Company, the nominal masters to the proprietors in these funds. Of this interest, three hundred and eighty-three thousand two

hundred pounds a year stood chargeable on the public revenues of the Carnatic.

Sir, at this moment it will not be necessary to consider the various operations which the capital and interest of this debt have successively undergone. I shall speak to these operations when I come particularly to answer the right honorable gentleman on each of the heads, as he has thought proper to divide them. But this was the exact view in which these debts first appeared to the court of directors, and to the world. It varied afterwards. But it never appeared in any other than a most questionable shape. When this gigantic phantom of debt first appeared before a young minister, it naturally would have justified some degree of doubt and apprehension. Such a prodigy would have filled any common man with superstitious fears. He would exorcise that shapeless, nameless form, and by everything sacred would have adjured it to tell by what means a small number of slight individuals, of no consequence or situation, possessed of no lucrative offices, without the command of armies, or the known administration of revenues, without profession of any kind, without any sort of trade sufficient to employ a pedlar, could have, in a few years (as to some even in a few months), amassed treasures equal to the revenues of a respectable kingdom. Was it not enough to put

these gentlemen, in the novitiate of their administration, on their guard, and to call upon them for a strict inquiry (if not to justify them in a reprobation of those demands without any inquiry at all), that when all England, Scotland, and Ireland had for years been witness to the immense sums laid out by the servants of the Company in stocks of all denominations, in the purchase of lands, in the buying and building of houses, in the securing quiet seats in Parliament or in the tumultuous riot of contested elections, in wandering throughout the whole range of those variegated modes of inventive prodigality, which sometimes have excited our wonder, sometimes roused our indignation; that after all India was four millions still in debt to them? India in debt to them! For what? Every debt for which an equivalent of some kind or other is not given is on the face of it a fraud. What is the equivalent they have given? What equivalent had they to give? What are the articles of commerce, or the branches of manufacture, which those gentlemen have carried hence to enrich India? What are the sciences they beamed out to enlighten it? What are the arts they introduced to cheer and adorn it? What are the religions, what the moral institutions they have taught among that people as a guide to life, or as a consolation when life is to be no more, that there is an eternal debt, a debt still "paying,

still to owe," which must be bound on the present generation in India, and entailed on their mortgaged posterity forever? A debt of millions, in favor of a set of men whose names, with few exceptions, are either buried in the obscurity of their origin and talents, or dragged into light by the enormity of their crimes!

If this body of private claims of debt, real or devised, were a question, as it is falsely pretended, between the Nabob of Arcot, as a debtor, and Paul Benfield and his associates, as creditors, I am sure I should give myself but little trouble about it. If the hoards of oppression were the fund for satisfying the claims of bribery and peculation, who would wish to interfere between such litigants? If the demands were confined to what might be drawn from the treasures which the Company's records uniformly assert that the Nabob is in possession of; or if he had mines of gold, or silver, or diamonds (as we know that he has none), these gentlemen might break open his hoards, or dig in his mines, without any disturbance from me. But the gentlemen on the other side of the House know as well as I do, and they dare not contradict me, that the Nabob of Arcot and his creditors are not adversaries, but collusive parties, and that the whole transaction is under a false color and false names. The litigation is not, nor ever has been, between their rapacity and his hoarded riches.

No; it is between him and them combining and confederating on one side, and the public revenues and the miserable inhabitants of a ruined country, on the other. These are the real plaintiffs and the real defendants in the suit. Refusing a shilling from his hoards for the satisfaction of any demand, the Nabob of Arcot is always ready, nay, he earnestly, and with eagerness and passion, contends for delivering up to these pretended creditors his territory and his subjects. It is therefore not from treasuries and mines, but from the food of your unpaid armies, from the blood withheld from the veins, and whipped out of the backs of the most miserable of men, that we are to pamper extortion, usury, and peculation, under the false names of debtors and creditors of state.

The great patron of these creditors (to whose honor they ought to erect statues), the right honorable gentleman, in stating the merits which recommended them to his favor, has ranked them under three grand divisions. The first, the creditors of 1767; then the creditors of the cavalry loan; and lastly, the creditors of the loan in 1777. Let us examine them one by one, as they pass in review before us.

The first of these loans, that of 1767, he insists, had an indisputable claim upon the public justice. The creditors, he affirms, lent their money publicly; they advanced it with the express knowl-

edge and approbation of the Company; and it was contracted at the moderate interest of ten per cent. In this loan the demand is, according to him, not only just, but meritorious in a very high degree; and one would be inclined to believe he thought so, because he has put it last in the provision he has made for these claims.

I readily admit this debt to stand the fairest of the whole, for whatever may be my suspicions concerning a part of it, I can convict it of nothing worse than the most enormous usury. But I can convict upon the spot the right honorable gentleman of the most daring misrepresentation in every one fact, without any exception, that he has alleged in defence of this loan and of his own conduct with regard to it. I will show you that the debt was never contracted with the knowledge of the Company; that it had not their approbation; that they received the first intelligence of it with the utmost possible surprise, indignation, and alarm.

So far from being previously apprised of the transaction from its origin, it was two years before the court of directors obtained any official intelligence of it. "The dealings of the servants with the Nabob were concealed from the first, until they were found out" (says Mr. Sayer, the Company's counsel), "by the report of the country." The Presidency, however, at last thought

proper to send an official account. On this the directors tell them, "to your great reproach it has been concealed from us. We cannot but suspect this debt to have had its weight in your proposed aggrandizement of Mohammed Ali [the Nabob of Arcot]; but whether it has or has not, certain it is, you are guilty of a high breach of duty in concealing it from us."

These expressions, concerning the ground of the transaction, its effect, and its clandestine nature, are in the letters, bearing date March 17, 1769. After receiving a more full account on the 23d March, 1770, they state that "Messrs. John Pybus, John Call, and James Bourchier, as trustees for themselves and others of the Nabob's private creditors, had proved a deed of assignment upon the Nabob and his son of fifteen districts of the Nabob's country, the revenues of which yielded, in time of peace, eight lacs of pagodas [$1,600,000] annually; and likewise an assignment of the yearly tribute paid the Nabob from the Rajah of Tanjore, amounting to four lacs of rupees [$200,000]." The territorial revenue, at that time possessed by these gentlemen, without the knowledge or consent of their masters, amounted to three hundred and sixty thousand pounds sterling annually. They were making rapid strides to the entire possession of the country, when the directors, whom the right honorable gentleman states as having authorized these

proceedings, were kept in such profound ignorance of this royal acquisition of territorial revenue by their servants, that in the same letter they say, "this assignment was obtained by three of the members of your board, in January, 1767, yet we do not find the least trace of it upon your consultations, until August, 1768, nor do any of your letters to us afford any information relative to such transactions, till the 1st of November, 1768. By your last letters of the 8th of May, 1769, you bring the whole proceeding to light in one view."

As to the previous knowledge of the Company, and its sanction to the debts, you see that this assertion of that knowledge is utterly unfounded. But did the directors approve of it, and ratify the transaction when it was known? The very reverse. On the same 23d of March, the directors declare, "upon an impartial examination of the whole conduct of our late governor and council of Fort George [Madras] and on the fullest consideration, that the said governor and council have, in notorious violation of the trust reposed in them, manifestly preferred the interest of private individuals to that of the Company, in permitting the assignment of the revenues of certain valuable districts, to a very large amount, from the Nabob to individuals"—and then, highly aggravating their crimes, they add: "We order and direct that you do examine, in the most impartial manner, all the

above-mentioned transactions; and that you punish by suspension, degradation, dismission, or otherwise, as to you shall seem meet, all and every such servant or servants of the Company, who may by you be found guilty of any of the above offences." "We had" (say the directors) "the mortification to find that the servants of the Company, who had been raised, supported, and owed their present opulence to the advantages gained in such service, have in this instance most unfaithfully betrayed their trust, abandoned the Company's interest, and prostituted its influence to accomplish the purposes of individuals, whilst the interest of the Company is almost wholly neglected, and payment to us rendered extremely precarious." Here then is the rock of approbation of the court of directors, on which the right honorable gentleman says this debt was founded. Any member, Mr. Speaker, who should come into the House, on my reading this sentence of condemnation of the court of directors against their unfaithful servants, might well imagine that he had heard a harsh, severe, unqualified invective against the present ministerial board of control. So exactly do the proceedings of the patrons of this abuse tally with those of the actors in it, that the expressions used in the condemnation of the one, may serve for the reprobation of the other, without the change of a word.

To read you all the expressions of wrath and indignation fulminated in this despatch against the meritorious creditors of the right honorable gentleman, who, according to him, have been so fully approved by the Company, would be to read the whole.

The right honorable gentleman, with an address peculiar to himself, every now and then slides in the Presidency of Madras, as synonymous to the Company. That the Presidency did approve the debt is certain. But the right honorable gentleman, as prudent in suppressing as skilful in bringing forward his matter, has not chosen to tell you that the Presidency were the very persons guilty of contracting this loan; creditors themselves, and agents and trustees for all the other creditors. For this, the court of directors accuse them of breach of trust; and for this, the right honorable gentleman considers them as perfectly good authority for those claims. It is pleasant to hear a gentleman of the law quote the approbation of creditors as an authority for their own debt.

How they came to contract the debt to themselves, how they came to act as agents for those whom they ought to have controlled, is for your inquiry. The policy of this debt was announced to the court of directors by the very persons concerned in creating it. "Till very lately" (say the Presidency) the "Nabob placed his dependence

on the Company. Now he has been taught by ill advisers that an interest out of doors may stand him in good stead. He has been made to believe that his private creditors have power and interest to overrule the court of directors." The Nabob was not misinformed. The private creditors instantly qualified a vast number of votes; and having made themselves masters of the court of proprietors, as well as extending a powerful cabal in other places as important, they so completely overturned the authority of the court of directors at home and abroad that this poor baffled government was soon obliged to lower its tone. It was glad to be admitted into partnership with its own servants. The court of directors, establishing the debt which they had reprobated as a breach of trust and which was planned for the subversion of their authority, settled its payments on a par with those of the public; and even so were not able to obtain peace or even equality in their demands. All the consequences lay in a regular and irresistible train. By employing their influence for the recovery of this debt, their orders, issued in the same breath, against creating new debts, only animated the strong desires of their servants to this prohibited prolific sport, and it soon produced a swarm of sons and daughters, not in the least degenerated from the virtue of their parents.

From that moment, the authority of the court

of directors expired in the Carnatic, and everywhere else. "Every man" (say the Presidency) "who opposes the government and its measures finds an immediate countenance from the Nabob; even our discarded officers, however unworthy, are received into the Nabob's service." It was indeed a matter of no wonderful sagacity to determine whether the court of directors, with their miserable salaries to their servants of four or five hundred pounds a year, or the distributor of millions, was most likely to be obeyed. It was an invention beyond the imagination of all the speculatists of our speculating age, to see a government quietly settled in one and the same town, composed of two distinct members; one to pay scantily for obedience, and the other to bribe high for rebellion and revolt.

The next thing which recommends this particular debt to the right honorable gentleman is, it seems, the moderate interest of ten per cent. It would be lost labor to observe on this assertion. The Nabob, in a long apologetic letter for the transaction between him and the body of the creditors, states the fact, as I shall state it to you. In the accumulation of this debt, the first interest paid was from thirty to thirty-six per cent.; it was then brought down to twenty-five per cent., at length it was reduced to twenty; and there it found its rest. During the whole process, as often as any

of these monstrous interests fell into an arrear (into which they were continually falling), the arrear, formed into a new capital, was added to the old, and the same interest of twenty per cent. accrued upon both. The Company, having got some scent of the enormous usury which prevailed at Madras, thought it necessary to interfere and to order all interests to be lowered to ten per cent. This order, which contained no exception, though it by no means pointed particularly to this class of debts, came like a thunderclap on the Nabob. He considered his political credit as ruined; but to find a remedy to this unexpected evil, he again added to the old principal twenty per cent. interest accruing for the last year. Thus a new fund was formed; and it was on that accumulation of various principals, and interests heaped upon interests, not on the sum originally lent, as the right honorable gentleman would make you believe, that ten per cent. was settled on the whole.

When you consider the enormity of the interest at which these debts were contracted and the several interests added to the principal, I believe you will not think me too sceptical, if I should doubt whether for this debt of eight hundred and eighty thousand pounds the Nabob ever saw one hundred thousand pounds in real money. The right honorable gentleman, suspecting, with all his absolute dominion over fact, that he never will be

able to defend even this venerable patriarchal job, though sanctified by its numerous issue and hoary with prescriptive years, has recourse to recrimination, the last resource of guilt. He says that this loan of 1767 was provided for in Mr. Fox's India bill; and judging of others by his own nature and principles, he more than insinuates that this provision was made, not from any sense of merit in the claim, but from partiality to General Smith, a proprietor, and an agent for that debt. If partiality could have had any weight against justice and policy with the then ministers and their friends, General Smith had titles to it. But the right honorable gentleman knows as well as I do that General Smith was very far from looking on himself as partially treated in the arrangements of that time; indeed, what man dared to hope for private partiality in that sacred plan for relief to nations?

It is not necessary that the right honorable gentleman should sarcastically call that time to our recollection. Well do I remember every circumstance of that memorable period. God forbid I should forget it! O illustrious disgrace! O victorious defeat! may your memorial be fresh and new to the latest generations! May the day of that generous conflict be stamped in characters never to be cancelled or worn out from the records of time! Let no man hear of us, who shall not hear that in

a struggle against the intrigues of courts and the perfidious levity of the multitude, we fell in the cause of honor, in the cause of our country, in the cause of human nature itself! But if fortune should be as powerful over fame as she has been prevalent over virtue, at least our conscience is beyond her jurisdiction. My poor share in the support of that great measure no man shall ravish from me. It shall be safely lodged in the sanctuary of my heart; never, never to be torn from thence, but with those holds that grapple it to life.

I say, I well remember that bill and every one of its honest and its wise provisions. It is not true that this debt was ever protected or enforced, or any revenue whatsoever set apart for it. It was left in that bill just where it stood: to be paid or not to be paid out of the Nabob's private treasures, according to his own discretion. The Company had actually given it their sanction; though always relying for its validity on the sole security of the faith of him who, without their knowledge or consent, entered into the original obligation. It had no other sanction; it ought to have had no other. So far was Mr. Fox's bill from providing funds for it, as this ministry have wickedly done for this and for ten times worse transactions, out of the public estate, that an express clause immediately preceded, positively forbidding any British subject from receiving assignments upon any part

of the territorial revenue, on any pretence whatsoever.

You recollect, Mr. Speaker, that the Chancellor of the Exchequer strongly professed to retain every part of Mr. Fox's bill, which was intended to prevent abuse; but in his India bill, which (let me do justice) is as able and skilful a performance for its own purposes as ever issued from the wit of man, premeditating this iniquity,—*hoc ipsum ut strueret Trojamque aperiret Achivis,*—expunged this essential clause, broke down the fence which was raised to cover the public property against the rapacity of his partisans, and thus levelling every obstruction, he made a firm, broad highway for sin and death, for usury and oppression, to renew their ravages throughout the devoted revenues of the Carnatic.

The tenor, the policy, and the consequences of this debt of 1767 are, in the eyes of the ministry, so excellent that its merits are irresistible; and it takes the lead to give credit and countenance to all the rest. Along with this chosen body of heavy-armed infantry, and to support it in the line, the right honorable gentleman has stationed his corps of black cavalry. If there be any advantage between this debt and that of 1769, according to him the cavalry debt has it. It is not a subject for defence; it is a theme of panegyric. Listen to the right honorable gentleman, and you will find it was contracted to save the country; to prevent

mutiny in armies; to introduce economy in revenues; and for all these honorable purposes, it originated at the express desire, and by the representative authority, of the Company itself.

First, let me say a word to the authority. This debt was contracted, not by the authority of the Company, not by its representatives (as the right honorable gentleman has the unparalleled confidence to assert), but in the ever memorable period of 1777, by the usurped power of those who rebelliously, in conjunction with the Nabob of Arcot, had overturned the lawful government of Madras. For that rebellion this House unanimously directed a public prosecution. The delinquents, after they had subverted Government, in order to make themselves a party to support them in their power, are universally known to have dealt jobs about to the right and to the left, and to any who were willing to receive them. This usurpation, which the right honorable gentleman well knows was brought about by and for the great mass of these pretended debts, is the authority which is set up by him to represent the Company; to represent that Company which, from the first moment of their hearing of this corrupt and fraudulent transaction to this hour, have uniformly disowned and disavowed it.

So much for the authority. As to the facts, partly true, and partly colorable, as they stand

recorded, they are in substance these: The Nabob of Arcot, as soon as he had thrown off the superiority of this country by means of these creditors, kept up a great army which he never paid. Of course, his soldiers were generally in a state of mutiny. The usurping council say that they labored hard with their master, the Nabob, to persuade him to reduce these mutinous and useless troops. He consented, but, as usual, plead inability to pay them their arrears. Here was a difficulty. The Nabob had no money; the Company had no money; every public supply was empty. But there was one resource which no season has ever yet dried up in that climate. The *soucars* were at hand; that is, private English money-jobbers offered their assistance. Messrs. Taylor, Majendie, and Call proposed to advance the small sum of one hundred and sixty thousand pounds to pay off the Nabob's black cavalry, provided the Company's authority was given for their loan. This was the great point of policy always aimed at, and pursued through a hundred devices, by the servants at Madras. The Presidency, who themselves had no authority for the functions they presumed to exercise, very readily gave the sanction of the Company to those servants who knew that the Company, whose sanction was demanded, had positively prohibited all such transactions.

However, so far as the reality of the dealing goes, all is hitherto fair and plausible ; and here the right honorable gentleman concludes, with commendable prudence, his account of the business. But here it is I shall beg leave to commence my supplement; for the gentleman's discreet modesty has led him to cut the thread of the story somewhat abruptly. One of the most essential parties is quite forgotten. Why should the episode of the poor Nabob be omitted ? When that prince chooses it, nobody can tell his story better. Excuse me, if I apply again to my book, and give it to you from the first hand—from the Nabob himself:

"Mr. Stratton became acquainted with this, and got Mr. Taylor and others to lend me four lacs of pagodas towards discharging the arrears of pay of my troops. Upon this, I wrote a letter of thanks to Mr. Stratton ; and upon the faith of this money being paid immediately, I ordered many of my troops to be discharged by a certain day, and lessened the number of my servants. Mr. Taylor, etc., some time after acquainted me, that they had no ready money, but they would grant teeps payable in four months. This astonished me ; for I did not know what might happen when the sepoys were dismissed from my service. I begged of Mr. Taylor and the others to pay this sum to the officers of my regiments at the time

they mentioned; and desired the officers, at the same time, to pacify and persuade the men belonging to them that their pay would be given to them at the end of four months; and that till those arrears were discharged, their pay should be continued to them. Two years are nearly expired since that time, but Mr. Taylor has not yet entirely discharged the arrears of those troops, and I am obliged to continue their pay from that time till this. I hoped to have been able, by this expedient, to have lessened the number of my troops, and discharged the arrears due to them, considering the trifle of interest to Mr. Taylor and the others, as no great matter; but instead of this, I am oppressed with the burthen of pay due to those troops, and the interest, which is going on to Mr. Taylor from the day the teeps were granted by him." What I have read to you is an extract of a letter from the Nabob of the Carnatic to Governor Rumbold, dated the 22d, and received the 24th of March, 1779.

Suppose his Highness not to be well broken in to things of this kind, it must indeed surprise so known and established a bond-vendor as the Nabob of Arcot, one who keeps himself the largest bond warehouse in the world, to find that he was now to receive in kind; not to take money for his obligations, but to give his bond in exchange for the bond of Messrs. Taylor,

Majendie, and Call, and to pay, besides, a good smart interest, legally twelve per cent. (in reality perhaps twenty or twenty-four per cent.), for this exchange of paper. But his troops were not to be so paid, or so disbanded. They wanted bread, and could not live by cutting and shuffling of bonds. The Nabob still kept the troops in service, and was obliged to continue, as you have seen, the whole expense, to exonerate himself, from which he became indebted to the *soucars*.

Had it stood here, the transaction would have been of the most audacious strain of fraud and usury perhaps ever before discovered, whatever might have been practised and concealed. But the same authority (I mean the Nabob's) brings before you something if possible more striking. He states that for this their paper he immediately handed over to these gentlemen something very different from paper; that is, the receipt of a territorial revenue, of which it seems they continued as long in possession as the Nabob himself continued in possession of anything. Their payments, therefore, not being to commence before the end of four months, and not being completed in two years, it must be presumed (unless they proved the contrary) that their payments to the Nabob were made out of the revenues they had received from his assignment. Thus they condescended to accumulate a debt of one hundred and

sixty thousand pounds with an interest of twelve per cent. in compensation for a lingering payment to the Nabob of one hundred and sixty thousand pounds of his own money.

Still we have not the whole: about two years after the assignment of those territorial revenues to these gentlemen, the Nabob receives a remonstrance from his chief manager in a principal province, of which this is the tenor: "The entire revenue of those districts is by your Highness's order set apart to discharge the *tunkaws* [assignments] granted to the Europeans. The *gomastahs* [agents] of Mr. Taylor, to Mr. De Fries, are there in order to collect those *tunkaws;* and as they receive all the revenue that is collected, your Highness's troops have seven or eight months' pay due, which they cannot receive, and are thereby reduced to the greatest distress. In such times it is highly necessary to provide for the sustenance of the troops, that they may be ready to exert themselves in the service of your Highness."

Here, Sir, you see how these causes and effects act upon one another. One body of troops mutinies for want of pay; a debt is contracted to pay them; and they still remain unpaid. A territory destined to pay other troops is assigned for this debt; and these other troops fall into the same state of indigence and mutiny with the first.

Bond is paid by bond; arrear is turned into new arrear; usury engenders new usury; mutiny, suspended in one quarter, starts up in another; until all the revenues and all the establishments are entangled into one inextricable knot of confusion, from which they are only disengaged by being entirely destroyed. In that state of confusion, in a very few months after the date of the memorial I have just read to you, things were found, when the Nabob's troops, famished to feed English *soucars,* instead of defending the country joined the invaders, and deserted in entire bodies to Hyder Ali.

The manner in which this transaction was carried on shows that good examples are not easily forgot, especially by those who are bred in a great school. One of those splendid examples, give me leave to mention at a somewhat more early period, because one fraud furnishes light to the discovery of another, and so on, until the whole secret of mysterious iniquity burst upon you in a blaze of detection. The paper I shall read you is not on record. If you please, you may take it on my word. It is a letter written by one of undoubted information in Madras to Sir John Clavering, describing the practice that prevailed there, whilst the Company's allies were under sale, during the time of Governor Winch's administration.

"One mode," says Clavering's correspondent, "of amassing money at the Nabob's expense is curious. He is generally in arrears to the Company. Here the Governor, being cash-keeper, is generally on good terms with the banker, who manages matters thus: The Governor presses the Nabob for the balance due from him; the Nabob flies to his banker for relief; the banker engages to pay the money, and grants his notes accordingly, which he puts in the cash-book as ready money; the Nabob pays him an interest for it at two and three per cent. *per mensem* till the *tunkaws* he grants on the particular districts for it are paid. Matters in the meantime are so managed that there is no call for this money for the Company's service, till the *tunkaws* become due. By this means not a cash is advanced by the banker, though he receives a heavy interest from the Nabob, which is divided as lawful spoil."

Here, Mr. Speaker, you have the whole art and mystery, the true freemason secret of the profession of *soucaring;* by which a few innocent, inexperienced young Englishmen, such as Mr. Paul Benfield, for instance, without property upon which any one would lend to themselves a single shilling, are enabled at once to take provinces in mortgage, to make princes their debtors, and to become creditors for millions.

But it seems the right honorable gentleman's

favorite *soucar* cavalry have proved the payment before the mayor's court at Madras! Have they so? Why then defraud our anxiety and their characters of that proof? Is it not enough that the charges which I have laid before you have stood on record against these poor injured gentlemen for eight years? Is it not enough that they are in print by the orders of the East India Company for five years? After these gentlemen have borne all the odium of this publication, and all the indignation of the directors, with such unexampled equanimity, now that they are at length stimulated into feeling, are you to deny them their just relief? But will the right honorable gentleman be pleased to tell us how they came not to give this satisfaction in the court of directors, their lawful masters, during all the eight years of this litigated claim? Were they not bound, by every tie that can bind men, to give them this satisfaction? This day, for the first time, we hear of the proofs. But when were these proofs offered? In what cause? Who were the parties? Who inspected? Who contested this belated account? Let us see something to oppose to the body of record which appears against them. The mayor's court! the mayor's court! Pleasant! Does not the honorable gentleman know that the first corps of creditors (the creditors of 1767) stated it as a sort of hardship to them that they could not have justice at Madras,

from the impossibility of their supporting their claims in the mayor's court? Why? Because, say they, the members of that court were themselves creditors, and therefore could not sit as judges. Are we ripe to say that no creditor under similar circumstances was member of the court, when the payment which is the ground of this cavalry debt was put to proof? Nay, are we not in a manner compelled to conclude that the court was so constituted, when we know there is scarcely a man in Madras who has not some participation in these transactions? It is a shame to hear such proofs mentioned, instead of the honest, vigorous scrutiny which the circumstances of such an affair so indispensably call for.

But his Majesty's ministers, indulgent enough to other scrutinies, have not been satisfied with authorizing the payment of this demand without such inquiry as the Act has prescribed, but they have added the arrear of twelve per cent. interest, from the year 1777 to the year 1784, to make a new capital, raising thereby one hundred and sixty to two hundred and ninety-four thousand pounds. Then they charge a new twelve per cent. on the whole from that period, for a transaction in which it will be a miracle if a single penny will be ever found really advanced from the private stock of the pretended creditors.

In this manner, and at such an interest, the min-

isters have thought proper to dispose of two hundred and ninety-four thousand pounds of the public revenues for what is called the cavalry loan. After despatching this, the right honorable gentleman leads to battle his last grand division, the consolidated debt of 1777. But having exhausted all his panegyric on the two first, he has nothing at all to say in favor of the last. On the contrary, he admits that it was contracted in defiance of the Company's orders, without even the pretended sanction of any pretended representatives. Nobody, indeed, has yet been found hardy enough to stand forth avowedly in its defence. But it is little to the credit of the age that what has not plausibility enough to find an advocate has influence enough to obtain a protector. Could any man expect to find that protector anywhere? But what must every man think, when he finds that protector in the Chairman of the Committee of Secrecy, who had published to the House, and to the world, the facts that condemn these debts — the orders that forbid the incurring them — the dreadful consequences which attended them. Even in his official letter, when he tramples on his parliamentary report, yet his general language is the same. Read the preface to this part of the ministerial arraignment, and you would imagine that this debt was to be crushed with all the weight of indignation which could fall from a vigilant guardian of the public

treasury upon those who attempted to rob it. What must be felt by every man who has feeling, when, after such a thundering preamble of condemnation, this debt is ordered to be paid without any sort of inquiry into its authenticity? without a single step taken to settle even the amount of the demand? without an attempt so much as to ascertain the real persons claiming a sum which rises in the accounts from one million three hundred thousand pounds sterling to two millions four hundred thousand pounds principal money? without an attempt made to ascertain the proprietors, of whom no list has ever yet been laid before the court of directors — of proprietors who are known to be in a collusive shuffle, by which they never appear to be the same in any two lists, handed about for their own particular purposes?

My honorable friend who made you the motion has sufficiently exposed the nature of this debt. He has stated to you that its own agents in the year 1781, in the arrangement they proposed to make at Calcutta, were satisfied to have twenty-five per cent. at once struck off from the capital of a great part of this debt, and prayed to have a provision made for this reduced principal, without any interest at all. This was an arrangement of their own, an arrangement made by those who best knew the true constitution of their own debt; who knew how little favor it merited, and

how little hopes they had to find any persons in authority abandoned enough to support it as it stood.

But what corrupt men, in the fond imaginations of a sanguine avarice, had not the confidence to propose, they have found a Chancellor of the Exchequer in England hardy enough to undertake for them. He has cheered their drooping spirits. He has thanked the peculators for not despairing of their commonwealth. He has told them they were too modest. He has replaced the twenty-five per cent. which, in order to lighten themselves, they had abandoned in their conscious terror. Instead of cutting off the interest, as they had themselves consented to do, with the fourth of the capital, he has added the whole growth of four years' usury of twelve per cent. to the first overgrown principal; and has again grafted on this meliorated stock a perpetual annuity of six per cent. to take place from the year 1781. Let no man hereafter talk of the decaying energies of nature. All the acts and monuments in the records of peculation; the consolidated corruption of ages; the patterns of exemplary plunder in the heroic times of Roman iniquity, never equalled the gigantic corruption of this single act. Never did Nero, in all the insolent prodigality of despotism, deal out to his Pretorian Guards a donation fit to be named with the largess showered down by the

bounty of our Chancellor of the Exchequer on the faithful band of his Indian sepoys.

The right honorable gentleman lets you freely and voluntarily into the whole transaction. So perfectly has his conduct confounded his understanding, that he fairly tells you that through the course of the whole business he has never conferred with any but the agents of the pretended creditors. After this, do you want more to establish a secret understanding with the parties — to fix, beyond a doubt, their collusion and participation in a common fraud?

If this were not enough, he has furnished you with other presumptions that are not to be shaken. It is one of the known indications of guilt to stagger and prevaricate in a story, and to vary in the motives that are assigned to conduct. Try these ministers by this rule. In their official despatch, they tell the Presidency of Madras that they have established the debt for two reasons: first, because the Nabob (the party indebted) does not dispute it; secondly, because it is mischievous to keep it longer afloat; and that the payment of the European creditors will promote circulation in the country. These two motives (for the plainest reasons in the world) the right honorable gentleman has this day thought fit totally to abandon. In the first place, he rejects the authority of the Nabob of Arcot. It would indeed be pleasant to see him

adhere to this exploded testimony. He next, upon grounds equally solid, abandons the benefits of that circulation, which was to be produced by drawing out all the juices of the body. Laying aside, or forgetting, these pretences of his despatch, he has just now assumed a principle totally different, but to the full as extraordinary. He proceeds upon a supposition that many of the claims may be fictitious. He then finds that in a case where many valid and many fraudulent claims are blended together, the best course for their discrimination is indiscriminately to establish them all. He trusts (I suppose), as there may not be a fund sufficient for every description of creditors, that the best warranted claimants will exert themselves in bringing to light those debts which will not bear an inquiry. What he will not do himself, he is persuaded will be done by others; and for this purpose he leaves to any person a general power of excepting to the debt. This total change of language, and prevarication in principle, is enough, if it stood alone, to fix the presumption of unfair dealing. His despatch assigns motives of policy, concord, trade, and circulation. His speech proclaims discord and litigations; and proposes, as the ultimate end, detection.

But he may shift his reasons, and wind and turn as he will—confusion waits him at all his doubles. Who will undertake this detection? Will the

Nabob? But the right honorable gentleman has himself this moment told us that no prince of the country can by any motive be prevailed upon to discover any fraud that is practised upon him by the Company's servants. He says what (with the exception against the cavalry loan) all the world knows to be true: and without that prince's concurrence, what evidence can be had of the fraud of any of the smallest of these demands? The ministers never authorized any person to enter into his exchequer, and to search his records. Why then this shameful and insulting mockery of a pretended contest? Already contests for a preference have arisen among these rival bond creditors. Has not the Company itself struggled for a preference for years, without any attempt at detection of the nature of those debts with which they contended? Well is the Nabob of Arcot attended to, in the only specific complaint he has ever made. He complained of unfair dealing in the cavalry loan. It is fixed upon him with interest on interest; and this loan is excepted from all power of litigation.

This day, and not before, the right honorable gentleman thinks that the general establishment of all claims is the surest way of laying open the fraud of some of them. In India this is a reach of deep policy. But what would be thought of this mode of acting on a demand upon the treasury in England? Instead of all this cunning, is there not

one plain way open, that is, to put the burthen of the proof on those who make the demand? Ought not ministry to have said to the creditors: "The person who admits your debt stands excepted to as evidence; he stands charged as a collusive party, to hand over the public revenues to you for sinister purposes. You say, you have a demand of some millions on the Indian treasury: prove that you have acted by lawful authority; prove at least that your money has been *bona fide* advanced; entitle yourself to my protection, by the fairness and fulness of the communications you make." Did an honest creditor ever refuse that reasonable and honest test?

There is little doubt that several individuals have been seduced by the purveyors to the Nabob of Arcot to put their money (perhaps the whole of honest and laborious earnings) into their hands, and that at such high interest as, being condemned at law, leaves them at the mercy of the great managers whom they trusted. These seduced creditors are probably persons of no power or interest, either in England or India, and may be just objects of compassion. By taking, in this arrangement, no measures for discrimination and discovery, the fraudulent and the fair are in the first instance confounded in one mass. The subsequent selection and distribution is left to the Nabob. With him the agents and instruments of his corruption,

whom he sees to be omnipotent in England, and who may serve him in future, as they have done in times past, will have precedence, if not an exclusive preference. These leading interests domineer, and have always domineered, over the whole. By this arrangement, the persons seduced are made dependent on their seducers; honesty (comparative honesty at least) must become of the party of fraud, and must quit its proper character and its just claims to entitle itself to the alms of bribery and peculation.

But be these English creditors what they may, the creditors most certainly not fraudulent are natives, who are numerous and wretched indeed; by exhausting the whole revenues of the Carnatic, nothing is left for them. They lent *bona fide;* in all probability they were even forced to lend, or to give goods and service for the Nabob's obligations. They had no trust to carry to his market. They had no faith of alliances to sell. They had no nations to betray to robbery and ruin. They had no lawful government seditiously to overturn; nor had they a governor, to whom it is owing that you exist in India, to deliver over to captivity, and to death, in a shameful prison.

These were the merits of the principal part of the debt of 1777, and the universally conceived cause of its growth; and thus the unhappy natives are deprived of every hope of payment for their real

debts, to make provision for the arrears of unsatisfied bribery and treason. You see in this instance that the presumption of guilt is not only no exception to the demands on the public treasury, but with these ministers it is a necessary condition to their support. But that you may not think this preference solely owing to their known contempt of the natives, who ought, with every generous mind, to claim their first charities, you will find the same rule religiously observed with Europeans too. Attend, Sir, to this decisive case. Since the beginning of the war, besides arrears of every kind, a bond debt has been contracted at Madras, uncertain in its amount, but represented from four hundred thousand pounds to a million sterling. It stands only at the low interest of ten per cent. Of the legal authority on which this debt was contracted, of its purposes for the very being of the State, of its publicity and fairness, no doubt has been entertained for a moment. For this debt no sort of provision whatever has been made. It is rejected as an outcast, whilst the whole undissipated attention of the minister has been employed for the discharge of claims entitled to his favor by the merits we have seen.

I have endeavored to find out, if possible, the amount of the whole of those demands, in order to see how much, supposing the country in a condition to furnish the fund, may remain to satisfy

the public debt and the necessary establishments. But I have been foiled in my attempt. About one fourth, that is, about two hundred and twenty thousand pounds, of the loan of 1767 remains unpaid. How much interest is in arrear I could never discover; seven or eight years' at least, which would make the whole of that debt about three hundred and ninety-six thousand pounds. This stock, which the ministers in their instructions to the Governor of Madras state as the least exceptionable, they have thought proper to distinguish by a marked severity, leaving it the only one on which the interest is not added to the principal, to beget a new interest.

The cavalry loan, by the operation of the same authority, is made up to two hundred and ninety-four thousand pounds; and this two hundred and ninety-four thousand pounds, made up of principal and interest, is crowned with a new interest of twelve per cent.

What the grand loan, the bribery loan of 1777, may be, is amongst the deepest mysteries of State. It is probably the first debt ever assuming the title of consolidation that did not express what the amount of the sum consolidated was. It is little less than a contradiction in terms. In the debt of the year 1767, the sum was stated in the Act of consolidation, and made to amount to eight hundred and eighty thousand pounds, capital. When

this consolidation of 1777 was first announced at the Durbar, it was represented at two million four hundred thousand pounds. In that, or rather in a higher state, Sir Thomas Rumbold found and condemned it. It afterwards fell into such a terror as to sweat away a million of its weight at once; and it sank to one million four hundred thousand pounds. However, it was never without a resource for recruiting it to its old plumpness. There was a sort of floating debt of about four or five hundred thousand pounds more, ready to be added, as occasion should require.

In short, when you pressed this sensitive plant it always contracted its dimensions. When the rude hand of inquiry was withdrawn, it expanded in all the luxuriant vigor of its original vegetation. In the treaty of 1781, the whole of the Nabob's debt to private Europeans is, by Mr. Sullivan, agent to the Nabob and the creditors, stated at two million eight hundred thousand pounds: which, if the cavalry loan, and the remains of the debt of 1767, be subtracted, leaves it at the amount originally declared at the Durbar in 1777. But then there is a private instruction to Mr. Sullivan, which it seems will reduce it again to the lower standard of one million four hundred thousand pounds. Failing in all my attempts, by a direct account, to ascertain the extent of the capital claimed (where in all probability no capital

was ever advanced), I endeavored, if possible, to discover it by the interest which was to be paid. For that purpose, I looked to the several agreements for assigning the territories of the Carnatic to secure the principal and interest of this debt. In one of them I found in a sort of postscript, by way of an additional remark (not in the body of the obligation), the debt represented at one million four hundred thousand pounds. But when I computed the sums to be paid for interest by instalments, in another paper, I found they produced the interest of two millions, at twelve per cent.; and the assignment supposed that if these instalments might exceed, they might also fall short of the real provision for that interest.

Another instalment bond was afterwards granted. In that bond the interest exactly tallies with a capital of one million four hundred thousand pounds. But, pursuing this capital through the correspondence, I lost sight of it again, and it was asserted that this instalment bond was considerably short of the interest that ought to be computed to the time mentioned. Here are, therefore, two statements of equal authority, differing at least a million from each other; and as neither persons claiming, nor any special sum as belonging to each particular claimant, is ascertained in the instruments of consolidation, or in the instalment bonds, a large scope was left to throw in any sums for

any persons, as their merits in advancing the interest of that loan might require; a power was also left for reduction, in case a harder hand, or more scanty funds, might be found to require it. Stronger grounds for a presumption of fraud never appeared in any transaction. But the ministers, faithful to the plan of the interested persons, whom alone they thought fit to confer with on this occasion, have ordered the payment of the whole mass of these unknown unliquidated sums, without an attempt to ascertain them. On this conduct, Sir, I leave you to make your own reflections.

It is impossible (at least I have found it impossible) to fix on the real amount of the pretended debts with which your ministers have thought proper to load the Carnatic. They are obscure; they shun inquiry; they are enormous. That is all you know of them.

That you may judge what chance any honorable and useful end of government has for a provision that comes in for the leavings of these gluttonous demands, I must take it on myself to bring before you the real condition of that abused, insulted, racked, and ruined country, though in truth my mind revolts from it—though you will hear it with horror; and I confess I tremble when I think on these awful and confounding dispensations of Providence. I shall first trouble you with a few words as to the cause.

The great fortunes made in India at the beginnings of conquest naturally excited an emulation in all the parts, and through the whole succession, of the Company's service. But in the Company it gave rise to other sentiments. They did not find the new channels of acquisition flow with equal riches to them. On the contrary, the high flood-tide of private emolument was generally in the lowest ebb of their affairs. They began also to fear that the fortune of war might take away what the fortune of war had given. Wars were accordingly discouraged by repeated injunctions and menaces; and that the servants might not be bribed into them by the native princes, they were strictly forbidden to take any money whatsoever from their hands. But vehement passion is ingenious in resources. The Company's servants were not only stimulated, but better instructed, by the prohibition. They soon fell upon a contrivance which answered their purposes far better than the methods which were forbidden; though in this also they violated an ancient, but, they thought, an abrogated order. They reversed their proceedings. Instead of receiving presents, they made loans. Instead of carrying on wars in their own name, they contrived an authority, at once irresistible and irresponsible, in whose name they might ravage at pleasure; and being thus freed from all restraint, they indulged themselves in the

most extraordinary speculations of plunder. The cabal of creditors who have been the object of the late bountiful grant from his Majesty's ministers, in order to possess themselves, under the name of creditors and assignees, of every country in India, as fast as it should be conquered, inspired into the mind of the Nabob of Arcot (then a dependant upon the Company of the humblest order) a scheme of the most wild and desperate ambition that I believe ever was admitted into the thoughts of a man so situated. First, they persuaded him to consider himself as a principal member in the political system of Europe. In the next place, they held out to him, and he readily imbibed, the idea of the general empire of Indostan. As a preliminary to this undertaking, they prevailed on him to propose a tripartite division of that vast country —one part to the Company, another to the Mahrattas, and the third to himself. To himself he reserved all the southern part of the great peninsula, comprehended under the general name of the Deccan.

On this scheme of their servants, the Company was to appear in the Carnatic in no other light than as contractor for the provision of armies and the hire of mercenaries for his use, and under his direction. This disposition was to be secured by the Nabob's putting himself under the guaranty of France; and, by the means of that rival nation,

preventing the English forever from assuming an equality, much less a superiority, in the Carnatic. In pursuance of this treasonable project (treasonable on the part of the English) they extinguished the Company as a sovereign power in that part of India; they withdrew the Company's garrisons out of all the forts and strongholds of the Carnatic; they declined to receive the ambassadors from foreign courts, and remitted them to the Nabob of Arcot; they fell upon and totally destroyed the oldest ally of the Company, the King of Tanjore, and plundered the country to the amount of near five millions sterling; one after another, in the Nabob's name, but with English force, they brought into a miserable servitude all the princes and great independent nobility of a vast country. In proportion to these treasons and violences, which ruined the people, the fund of the Nabob's debt grew and flourished.

Among the victims to this magnificent plan of universal plunder, worthy of the heroic avarice of the projectors, you have all heard (and he has made himself to be well remembered) of an Indian chief called Hyder Ali Khan. This man possessed the Western, as the Company under the name of the Nabob of Arcot does the Eastern division of the Carnatic. It was among the leading measures in the design of this cabal (according to their own emphatic language) to extirpate this Hyder Ali.

They declared the Nabob of Arcot to be his sovereign, and himself to be a rebel, and publicly invested their instrument with the sovereignty of the kingdom of Mysore. But their victim was not of the passive kind. They were soon obliged to conclude a treaty of peace and close alliance with this rebel at the gates of Madras. But before and since that treaty, every principle of policy pointed out this power as a natural alliance ; and on his part, it was courted by every sort of amicable office. But the cabinet-council of English creditors would not suffer their Nabob of Arcot to sign the treaty, nor even to give to a prince, at least his equal, the ordinary titles of respect and courtesy. From that time forward a continued plot was carried on within the divan, black and white, of the Nabob of Arcot, for the destruction of Hyder Ali. As to the outward members of the double, or rather treble Government of Madras, which had signed the treaty, they were always prevented by some overruling influence (which they do not describe, but which cannot be misunderstood) from performing what justice and interest combined so evidently to enforce.

When at length Hyder Ali found that he had to do with men who either would sign no convention, or whom no treaty and no signature could bind, and who were the determined enemies of human intercourse itself, he decreed to make the country

possessed by these incorrigible and predestinated criminals a memorable example to mankind. He resolved, in the gloomy recesses of a mind capacious of such things, to leave the whole Carnatic an everlasting monument of vengeance, and to put perpetual desolation as a barrier between him and those against whom the faith which holds the moral elements of the world together was no protection. He became at length so confident of his force, so collected in his might, that he made no secret whatsoever of his dreadful resolution. Having terminated his disputes with every enemy and every rival, who buried their mutual animosities in their common detestation against the creditors of the Nabob of Arcot, he drew from every quarter whatever a savage ferocity could add to his new rudiments in the art of destruction; and compounding all the materials of fury, havoc, and desolation, into one black cloud, he hung for awhile on the declivities of the mountains. Whilst the authors of all these evils were idly and stupidly gazing on this menacing meteor, which blackened all their horizon, it suddenly burst, and poured down the whole of its contents upon the plains of the Carnatic. Then ensued a scene of woe, the like of which no eye had seen, no heart conceived, and which no tongue can adequately tell. All the horrors of war before known or heard of were mercy to that new havoc. A storm of universal

fire blasted every field, consumed every house, destroyed every temple. The miserable inhabitants, flying from their flaming villages, in part were slaughtered; others, without regard to sex, to age, to the respect of rank, or sacredness of function, fathers torn from children, husbands from wives, enveloped in a whirlwind of cavalry, and, amidst the goading spears of drivers and the trampling of pursuing horses, were swept into captivity in an unknown and hostile land. Those who were able to evade this tempest fled to the walled cities. But escaping from fire, sword, and exile, they fell into the jaws of famine.

The alms of the settlement, in this dreadful exigency, were certainly liberal, and all was done by charity that private charity could do; but it was a people in beggary; it was a nation which stretched out its hands for food. For months together these creatures of sufferance, whose very excess and luxury in their most plenteous days had fallen short of the allowance of our austerest fasts, silent, patient, resigned, without sedition or disturbance, almost without complaint, perished by a hundred a day in the streets of Madras; every day seventy at least laid their bodies in the streets or on the glacis of Tanjore, and expired of famine in the granary of India. I was going to awake your justice towards this unhappy part of our fellow-citizens by bringing before you some of the

circumstances of this plague of hunger. Of all the calamities which beset and waylay the life of man, this comes the nearest to our heart, and is that wherein the proudest of us all feels himself to be nothing more than he is. But I find myself unable to manage it with decorum: these details are of a species of horror so nauseous and disgusting; they are so degrading to the sufferers and to the hearers; they are so humiliating to human nature itself, that, on better thoughts, I find it more advisable to throw a pall over this hideous object, and to leave it to your general conceptions.

For eighteen months, without intermission, this destruction raged from the gates of Madras to the gates of Tanjore; and so completely did these masters in their art, Hyder Ali and his more ferocious son, absolve themselves of their impious vow, that when the British armies traversed, as they did, the Carnatic for hundreds of miles in all directions, through the whole line of their march they did not see one man, not one woman, not one child, not one four-footed beast of any description whatever. One dead uniform silence reigned over the whole region. With the inconsiderable exceptions of the narrow vicinage of some few forts, I wish to be understood as speaking literally. I mean to produce to you more than three witnesses, above all exception, who will support this assertion in its full extent. That hurricane of war passed

through every part of the central provinces of the Carnatic. Six or seven districts to the north and to the south (and these not wholly untouched) escaped the general ravage.

The Carnatic is a country not much inferior in extent to England. Figure to yourself, Mr. Speaker, the land in whose representative chair you sit — figure to yourself the form and fashion of your sweet and cheerful country from Thames to Trent north and south, and from the Irish to the German sea east and west, emptied and embowelled (may God avert the omen of our crimes !) by so accomplished a desolation. Extend your imagination a little further, and then suppose your ministers taking a survey of this scene of waste and desolation; what would be your thoughts, if you should be informed that they were computing how much had been the amount of the excises, how much the customs, how much the land and malt tax, in order that they should charge (take it in the most favorable light) for public service, upon the relics of the satiated vengeance of relentless enemies, the whole of what England had yielded in the most exuberant seasons of peace and abundance? What would you call it? To call it tyranny, sublimed into madness, would be too faint an image; yet this very madness is the principle upon which the ministers at your right hand have proceeded in their estimate of the

revenues of the Carnatic, when they were providing, not supply for the establishments of its protection, but rewards for the authors of its ruin.

Every day you are fatigued and disgusted with this cant: "The Carnatic is a country that will soon recover, and become instantly as prosperous as ever." They think they are talking to innocents, who will believe that by sowing of dragons' teeth, men may come up ready grown and ready armed. They who will give themselves the trouble of considering (for it requires no great reach of thought, no very profound knowledge) the manner in which mankind are increased, and countries cultivated, will regard all this raving as it ought to be regarded. In order that the people, after a long period of vexation and plunder, may be in a condition to maintain government, government must begin by maintaining them. Here the road to economy lies not through receipt, but through expense; and in that country nature has given no short cut to your object. Men must propagate, like other animals, by the mouth. Never did oppression light the nuptial torch; never did extortion and usury spread out the genial bed. Does any of you think that England, so wasted, would, under such a nursing attendance, so rapidly and cheaply recover? But he is meanly acquainted with either England or India who does not know that

England would a thousand times sooner resume population, fertility, and what ought to be the ultimate secretion from both, revenue, than such a country as the Carnatic.

The Carnatic is not by the bounty of nature a fertile soil. The general size of its cattle is proof enough that it is much otherwise. It is some days since I moved that a curious and interesting map, kept in the India House, should be laid before you. The India House is not yet in readiness to send it; I have therefore brought down my own copy, and there it lies for the use of any gentleman who may think such a matter worthy of his attention. It is, indeed, a noble map, and of noble things; but it is decisive against the golden dreams and sanguine speculations of avarice run mad. In addition to what you know must be the case in every part of the world (the necessity of a previous provision of habitation, seed, stock, capital), that map will show you that the use of the influences of heaven itself are in that country a work of art. The Carnatic is refreshed by few or no living brooks or running streams, and it has rain only at a season; but its product of rice exacts the use of water subject to perpetual command. This is the national bank of the Carnatic, on which it must have a perpetual credit, or it perishes irretrievably. For that reason, in the happier times of India, a number

almost incredible of reservoirs have been made in chosen places throughout the whole country; they are formed for the greater part of mounds of earth and stones, with sluices of solid masonry; the whole constructed with admirable skill and labor, and maintained at a mighty charge. In the territory contained in that map alone, I have been at the trouble of reckoning the reservoirs, and they amount to upwards of eleven hundred, from the extent of two or three acres to five miles in circuit. From these reservoirs currents are occasionally drawn over the fields, and these watercourses again call for a considerable expense to keep them properly secured and duly levelled. Taking the district in that map as a measure, there cannot be in the Carnatic and Tanjore fewer than ten thousand of these reservoirs of the larger and middling dimensions, to say nothing of those for domestic services and the use of religious purifications. These are not the enterprises of your power, nor in a style of magnificence suited to the taste of your minister. These are the monuments of real kings, who were the fathers of their people; testators to a posterity which they embraced as their own. These are the grand sepulchres built by ambition; but by the ambition of an unsatiable benevolence, which, not contented with reigning in the dispensation of happiness during the contracted term of human

life, had strained, with all the reachings and graspings of a vivacious mind, to extend the dominion of their bounty beyond the limits of nature, and to perpetuate themselves through generations of generations, the guardians, the protectors, the nourishers of mankind.

Long before the late invasion, the persons who are now objects of the grant of public money now before you had so diverted the supply of the pious funds of culture and population that everywhere the reservoirs were fallen into a miserable decay. But after those domestic enemies had provoked the entry of a cruel foreign foe into the country, he did not leave it until his revenge had completed the destruction begun by their avarice. Few, very few indeed, of these magazines of water that are not either totally destroyed, or cut through with such gaps as to require a serious attention and much cost to reëstablish them, as the means of present subsistence to the people and of future revenue to the State.

What, Sir, would a virtuous and enlightened ministry do, on the view of the ruins of such works before them — on the view of such a chasm of desolation as that which yawned in the midst of those countries to the north and south, which still bore some vestiges of cultivation? They would have reduced all their most necessary establishments; they would have suspended

the justest payments ; they would have employed every shilling derived from the producing to reanimate the powers of the unproductive parts. While they were performing this fundamental duty, whilst they were celebrating these mysteries of justice and humanity, they would have told the corps of fictitious creditors, whose crimes were their claims, that they must keep an awful distance ; that they must silence their inauspicious tongues ; that they must hold off their profane and unhallowed paws from this holy work ; they would have proclaimed, with a voice that should make itself heard, that on every country the first creditor is the plough ; that this original, indefeasible claim supersedes every other demand.

This is what a wise and virtuous ministry would have done and said. This, therefore, is what our minister could never think of saying or doing. A ministry of another kind would have first improved the country, and have thus laid a solid foundation for future opulence and future force. But on this grand point of the restoration of the country, there is not one syllable to be found in the correspondence of our ministers, from the first to the last. They felt nothing for a land desolated by fire, sword, and famine ; their sympathies took another direction. They were touched with pity for bribery, so long tormented with a fruitless itching of its palms ;

their bowels yearned for usury, that had long missed the harvest of its returning months; they felt for peculation, which had been for so many years raking in the dust of an empty treasury; they were melted into compassion for rapine and oppression, licking their dry, parched, unbloody jaws. These were the objects of their solicitude. These were the necessities for which they were studious to provide.

But I, Sir, who profess to speak to your understanding and to your conscience, and to brush away from this business all false colors, all false appellations, as well as false facts, do positively deny that the Carnatic owes a shilling to the Company, whatever the Company may be indebted to that undone country. It owes nothing to the Company for this plain and simple reason — the territory charged with the debt is their own. To say that their revenues fall short, and owe them money, is to say they are in debt to themselves, which is only talking nonsense. The fact is that by the invasion of an enemy, and the ruin of the country, the Company, either in its own name or in the names of the Nabob of Arcot and Rajah of Tanjore, has lost for several years what it might have looked to receive from its own estate. If men were allowed to credit themselves upon such principles, any one might soon grow rich by this mode of accounting. A flood comes down upon

a man's estate in the Bedford Level of a thousand pounds a year, and drowns his rents for ten years. The Chancellor would put that man into the hands of a trustee, who would gravely make up his books, and for this loss credit himself in his account for a debt due to him of ten thousand pounds! It is, however, on this principle the Company makes up its demands on the Carnatic. In peace they go the full length, and indeed more than the full length, of what the people can bear for current establishments; then they are absurd enough to consolidate all the calamities of war into debts, to metamorphose the devastations of the country into demands upon its future production. What is this but to avow a resolution utterly to destroy their own country, and to force the people to pay for their sufferings to a government which has proved unable to protect either the share of the husbandman, or their own? In every lease of a farm, the invasion of an enemy, instead of forming a demand for arrear, is a release of rent; nor for that release is it at all necessary to show that the invasion has left nothing to the occupier of the soil; though in the present case it would be too easy to prove that melancholy fact. I therefore applaud my right honorable friend, who, when he canvassed the Company's accounts, as a preliminary to a bill that ought not to stand on falsehood of any kind, fixed his

discerning eye, and his deciding hand, on these debts of the Company from the Nabob of Arcot and Rajah of Tanjore, and at one stroke expunged them all, as utterly irrecoverable; he might have added, as utterly unfounded.

On these grounds I do not blame the arrangement this day in question, as a preference given to the debt of individuals over the Company's debt. In my eye it is no more than the preference of a fiction over a chimera; but I blame the preference given to those fictitious private debts over the standing defence and the standing government. It is there the public is robbed. It is robbed in its army; it is robbed in its civil administration; it is robbed in its credit; it is robbed in its investment, which forms the commercial connection between that country and Europe. There is the robbery.

But my principal objection lies a good deal deeper. That debt to the Company is the pretext under which all the other debts lurk and cover themselves. That debt forms the foul putrid mucus, in which are engendered the whole brood of creeping ascarides, all the endless involutions, the eternal knot, added to a knot of those inexpugnable tape-worms which devour the nutriment and eat up the bowels of India. It is necessary, Sir, you should recollect two things: first, that the Nabob's debt to the Company carries no

interest. In the next place, you will observe that whenever the Company has occasion to borrow she has always commanded whatever she thought fit at eight per cent. Carrying in your mind these two facts, attend to the process with regard to the public and private debt, and with what little appearance of decency they play into each other's hands a game of utter perdition to the unhappy natives of India. The Nabob falls into an arrear to the Company. The Presidency presses for payment. The Nabob's answer is, I have no money. Good. But there are *soucars* who will supply you on the mortgage of your territories. Then steps forward some Paul Benfield, and from his grateful compassion to the Nabob, and his filial regard to the Company, he unlocks the treasures of his virtuous industry; and, for a consideration of twenty-four or thirty-six per cent. on a mortgage of the territorial revenue, becomes security to the Company for the Nabob's arrear.

All this intermediate usury thus becomes sanctified by the ultimate view to the Company's payment. In this case, would not a plain man ask this plain question of the Company: If you know that the Nabob must annually mortgage his territories to your servants to pay his annual arrear to you, why is not the assignment or mortgage made directly to the Company itself? By this simple, obvious operation, the Company would be relieved

and the debt paid, without the charge of a shilling interest to that prince. But if that course should be thought too indulgent, why do they not take that assignment with such interest to themselves as they pay to others, that is, eight per cent. ? Or if it were thought more advisable (why it should I know not) that he must borrow, why do not the Company lend their own credit to the Nabob for their own payment? That credit would not be weakened by the collateral security of his territorial mortgage. The money might still be had at eight per cent. Instead of any of these honest and obvious methods, the Company has for years kept up a show of disinterestedness and moderation, by suffering a debt to accumulate to them from the country powers without any interest at all; and at the same time have seen before their eyes, on a pretext of borrowing to pay that debt, the revenues of the country charged with a usury of twenty, twenty-four, thirty-six, and even eight-and-forty per cent. with compound interest, for the benefit of their servants. All this time they know that by having a debt subsisting without any interest, which is to be paid by contracting a debt on the highest interest, they manifestly render it necessary to the Nabob of Arcot to give the private demand a preference to the public; and by binding him and their servants together in a common cause, they enable him to form a

party to the utter ruin of their own authority, and their own affairs. Thus their false moderation, and their affected purity, by the natural operation of everything false and everything affected, become pander and bawd to the unbridled debauchery and licentious lewdness of usury and extortion.

In consequence of this double game, all the territorial revenues have, at one time or other, been covered by those locusts, the English *soucars*. Not one single foot of the Carnatic has escaped them — a territory as large as England. During these operations, what a scene has that country presented! The usurious European assignee supersedes the Nabob's native farmer of the revenue; the farmer flies to the Nabob's presence to claim his bargain; whilst his servants murmur for wages, and his soldiers mutiny for pay. The mortgage to the European assignee is then resumed, and the native farmer replaced; replaced, again to be removed on the new clamor of the European assignee. Every man of rank and landed fortune being long since extinguished, the remaining miserable last cultivator, who grows to the soil, after having his back scored by the farmer, has it again flayed by the whip of the assignee, and is thus, by a ravenous because a short-lived succession of claimants, lashed from oppressor to oppressor, whilst a single drop of blood is left as the means of extorting a single grain of corn. Do not think

I paint. Far, very far from it; I do not reach the fact, nor approach to it. Men of respectable condition, men equal to your substantial English yeomen, are daily tied up and scourged to answer the multiplied demands of various contending and contradictory titles, all issuing from one and the same source. Tyrannous exaction brings on servile concealment; and that again calls forth tyrannous coercion. They move in a circle, mutually producing and produced; till at length nothing of humanity is left in the government, no trace of integrity, spirit, or manliness in the people, who drag out a precarious and degraded existence under this system of outrage upon human nature. Such is the effect of the establishment of a debt to the Company, as it has hitherto been managed, and as it ever will remain, until ideas are adopted totally different from those which prevail at this time.

Your worthy ministers, supporting what they are obliged to condemn, have thought fit to renew the Company's old order against contracting private debts in future. They begin by rewarding the violation of the ancient law; and then they gravely reënact provisions, of which they have given bounties for the breach. This inconsistency has been well exposed. But what will you say to their having gone the length of giving positive directions for contracting the debt which they positively forbid?

I will explain myself. They order the Nabob, out of the revenues of the Carnatic, to allot four hundred and eighty thousand pounds a year as a fund for the debts before us. For the punctual payment of this annuity, they order him to give *soucar* security. When a *soucar,* that is, a money-dealer, becomes security for any native prince, the course is for the native prince to counter-secure the money-dealer, by making over to him in mortgage a portion of his territory, equal to the sum annually to be paid, with an interest of at least twenty-four per cent. The point fit for the House to know is, who are these *soucars,* to whom this security on the revenues in favor of the Nabob's creditors is to be given? The majority of the House, unaccustomed to these transactions, will hear with astonishment that these *soucars* are no other than the creditors themselves. The minister, not content with authorizing these transactions in a manner and to an extent unhoped for by the rapacious expectations of usury itself, loads the broken back of the Indian revenues, in favor of his worthy friends the *soucars,* with an additional twenty-four per cent. for being security to themselves for their own claims—for condescending to take the country in mortgage to pay to themselves the fruits of their extortions.

The interest to be paid for this security, according to the most moderate strain of *soucar* demand,

comes to one hundred and eighteen thousand pounds a year, which, added to the four hundred and eighty thousand pounds on which it is to accrue, will make the whole charge on account of these debts on the Carnatic revenues amount to five hundred and ninety-eight thousand pounds a year, as much as even a long peace will enable those revenues to produce. Can any one reflect for a moment on all those claims of debt, which the minister exhausts himself in contrivances to augment with new usuries, without lifting up his hands and eyes in astonishment of the impudence, both of the claim and the adjudication? Services of some kind or other these servants of the Company must have done, so great and eminent that the Chancellor of the Exchequer cannot think that all they have brought home is half enough. He halloos after them: "Gentlemen, you have forgot a large packet behind you, in your hurry; you have not sufficiently recovered yourselves; you ought to have, and you shall have, interest upon interest, upon a prohibited debt that is made up of interest upon interest. Even this is too little. I have thought of another character for you, by which you may add something to your gains; you shall be security to yourselves; and hence will arise a new usury, which shall efface the memory of all the usuries suggested to you by your own dull inventions."

I have done with the arrangement relative to the Carnatic. After this it is to little purpose to observe on what the ministers have done to Tanjore. Your ministers have not observed even form and ceremony in their outrageous and insulting robbery of that country, whose only crime has been its early and constant adherence to the power of this, and the suffering of a uniform pillage in consequence of it. The debt of the Company from the Rajah of Tanjore is just of the same stuff with that of the Nabob of Arcot.

The subsidy from Tanjore, on the arrear of which this pretended debt (if any there be) has accrued to the Company, is not, like that paid by the Nabob of Arcot, a compensation for vast countries obtained, augmented, and preserved for him; not the price of pillaged treasuries, ransacked houses, and plundered territories. It is a large grant, from a small kingdom, not obtained by our arms, robbed, not protected by our power; a grant for which no equivalent was ever given, or pretended to be given. The right honorable gentleman, however, bears witness in his reports to the punctuality of the payments of this grant of bounty, or, if you please, of fear. It amounts to one hundred and sixty thousand pounds sterling net annual subsidy. He bears witness to a further grant of a town and port, with an annexed district of thirty thousand pounds a year, surrendered to the Com-

pany since the first donation. He has not borne witness, but the fact is (he will not deny it) that in the midst of war, and during the ruin and desolation of a considerable part of his territories, this prince made many very large payments. Notwithstanding these merits and services, the first regulation of ministry is to force from him a territory of an extent which they have not yet thought proper to ascertain, for a military peace establishment, the particulars of which they have not yet been pleased to settle.

The next part of their arrangement is with regard to war. As confessedly this prince had no share in stirring up any of the former wars, so all future wars are completely out of his power; for he has no troops whatever, and is under a stipulation not so much as to correspond with any foreign State, except through the Company. Yet in case the Company's servants should be again involved in war, or should think proper again to provoke any enemy, as in times past they have wantonly provoked all India, he is to be subjected to a new penalty. To what penalty? Why, to no less than the confiscation of all his revenues. But this is to end with the war, and they are to be faithfully returned? Oh no; nothing like it! The country is to remain under confiscation until all the debt which the Company shall think fit to incur in such war shall be discharged—that is to say, forever.

His sole comfort is to find his old enemy, the Nabob of Arcot, placed in the very same condition.

The revenues of that miserable country were, before the invasion of Hyder, reduced to a gross annual receipt of three hundred and sixty thousand pounds. From this receipt the subsidy I have just stated is taken. This again, by payments in advance, by extorting deposits of additional sums to a vast amount for the benefit of their *soucars,* and by an endless variety of other extortions, public and private, is loaded with a debt the amount of which I never could ascertain, but which is large undoubtedly, generating a usury the most completely ruinous that probably was ever heard of; that is, forty-eight per cent. payable monthly, with compound interest.

Such is the state to which the Company's servants have reduced that country. Now come the reformers, restorers, and comforters of India. What have they done? In addition to all these tyrannous exactions with all these ruinous debts in their train, looking to one side of an agreement while they wilfully shut their eyes to the other, they withdraw from Tanjore all the benefits of the treaty of 1762, and they subject that nation to a perpetual tribute of forty thousand a year to the Nabob of Arcot; a tribute never due, or pretended to be due, to him, even when he appeared to be something; a tribute, as things now stand, not to

a real potentate, but to a shadow, a dream, an incubus of oppression. After the Company has accepted in subsidy, in grant of territory, in remission of rent, as a compensation for their own protection, at least two hundred thousand pounds a year, without discounting a shilling for that receipt, the ministers condemn this harassed nation to be tributary to a person who is himself, by their own arrangement, deprived of the right of war or peace; deprived of the power of the sword; forbid to keep up a single regiment of soldiers; and is therefore wholly disabled from all protection of the country, which is the object of the pretended tribute. Tribute hangs on the sword. It is an incident inseparable from real sovereign power. In the present case, to suppose its existence is as absurd as it is cruel and oppressive. And here, Mr. Speaker, you have a clear exemplification of the use of those false names, and false colors, which the gentlemen who have lately taken possession of India choose to lay on for the purpose of disguising their plan of oppression. The Nabob of Arcot and Rajah of Tanjore have, in truth and substance, no more than a merely civil authority, held in the most entire dependence on the Company. The Nabob, without military, without federal capacity, is extinguished as a potentate; but then he is carefully kept alive as an independent and sovereign power, for the purpose of rapine and extortion; for the purpose of

perpetuating the old intrigues, animosities, usuries, and corruptions.

It was not enough that this mockery of tribute was to be continued without the corresponding protection, or any of the stipulated equivalents; but ten years of arrear, to the amount of four hundred thousand pounds sterling, is added to all the debts to the Company and to individuals, in order to create a new debt, to be paid (if at all possible to be paid in whole or in part) only by new usuries; and all this for the Nabob of Arcot, or rather for Mr. Benfield, and the corps of the Nabob's creditors, and their *soucars*. Thus these miserable Indian princes are continued in their seats for no other purpose than to render them in the first instance objects of every species of extortion; and in the second, to force them to become, for the sake of a momentary shadow of reduced authority, a sort of subordinate tyrants, the ruin and calamity, not the fathers and cherishers, of their people.

But take this tribute only as a mere charge (without title, cause, or equivalent) on this people; what one step has been taken to furnish grounds for a just calculation and estimate of the proportion of the burthen and the ability? None; not an attempt at it. They do not adapt the burthen to the strength; but they estimate the strength of the bearers by the burthen they impose. Then what care is taken to leave a fund sufficient to the future

reproduction of the revenues that are to bear all these loads? Every one but tolerably conversant in Indian affairs must know that the existence of this little kingdom depends on its control over the river Cavery. The benefits of Heaven to any community ought never to be connected with political arrangements or made to depend on the personal conduct of princes; in which the mistake, or error, or neglect, or distress, or passion of a moment on either side may bring famine on millions, and ruin an innocent nation perhaps for ages. The means of the subsistence of mankind should be as immutable as the laws of nature, let power and dominion take what course they may. Observe what has been done in regard to this important concern. The use of this river is indeed at length given to the Rajah, and a power provided for its enjoyment at his own charge; but the means of furnishing that charge (and a mighty one it is) are wholly cut off. This use of the water, which ought to have no more connection than clouds, and rains, and sunshine with the politics of the Rajah, the Nabob, or the Company, is expressly contrived as a means of enforcing demands and arrears of tribute. This horrid and unnatural instrument of extortion had been a distinguishing feature in the enormities of the Carnatic politics that loudly called for reformation. But the food of a whole people is by the reformers of India conditioned on payments from its

prince at a moment that he is overpowered with a swarm of their demands, without regard to the ability of either prince or people. In fine, by opening an avenue to the irruption of the Nabob of Arcot's creditors and *soucars,*—whom every man who did not fall in love with oppression and corruption on an experience of the calamities they produced would have raised wall before wall, and mound before mound, to keep from a possibility of entrance,—a more destructive enemy than Hyder Ali is introduced into that kingdom. By this part of their arrangement in which they establish a debt to the Nabob of Arcot, in effect and substance they deliver over Tanjore, bound hand and foot, to Paul Benfield, the old betrayer, insulter, oppressor, and scourge of a country which has for years been an object of an unremitted but unhappily an unequal struggle, between the bounties of Providence to renovate and the wickedness of mankind to destroy.

The right honorable gentleman talks of his fairness in determining the territorial dispute between the Nabob of Arcot and the prince of that country, when he superseded the determination of the directors, in whom the law had vested the decision of that controversy. He is in this just as feeble as he is in every other part. But it is not necessary to say a word in refutation of any part of his argument. The mode of the proceeding sufficiently

speaks the spirit of it. It is enough to fix his character as a judge that he never heard the directors in defence of their adjudication, nor either of the parties in support of their respective claims. It is sufficient for me that he takes from the Rajah of Tanjore by this pretended adjudication, or rather from his unhappy subjects, forty thousand pounds a year of his and their revenue, and leaves upon his and their shoulders all the charges that can be made on the part of the Nabob, on the part of his creditors, and on the part of the Company, without so much as hearing him as to right or ability. But what principally induces me to leave the affair of the territorial dispute between the Nabob and the Rajah to another day is this, that both the parties being stripped of their all, it little signifies under which of their names the unhappy, undone people are delivered over to the merciless *soucars*, the allies of that right honorable gentleman, and the Chancellor of the Exchequer. In them ends the account of this long dispute of the Nabob of Arcot, and the Rajah of Tanjore.

The right honorable gentleman is of opinion that his judgment in this case can be censured by none but those who seem to act as if they were paid agents to one of the parties. What does he think of his court of directors? If they are paid by either of the parties, by which of them does he think they are paid? He knows that their decision

has been directly contrary to his. Shall I believe that it does not enter into his heart to conceive that any person can steadily and actively interest himself in the protection of the injured and oppressed, without being well paid for his service? I have taken notice of this sort of discourse some days ago, so far as it may be supposed to relate to me. I then contented myself, as I shall now do, with giving it a cold, though a very direct, contradiction. Thus much I do from respect to truth. If I did more, it might be supposed, by my anxiety to clear myself, that I had imbibed the ideas which, for obvious reasons, the right honorable gentleman wishes to have received concerning all attempts to plead the cause of the natives of India, as if it were a disreputable employment. If he had not forgot in his present occupation every principle which ought to have guided him—and, I hope, did guide him—in his late profession, he would have known that he who takes a fee for pleading the cause of distress against power and manfully performs the duty he has assumed, receives an honorable recompense for a virtuous service. But if the right honorable gentleman will have no regard to fact in his insinuations, or to reason in his opinions, I wish him at least to consider that if taking an earnest part with regard to the oppressions exercised in India, and with regard to this most oppressive case of Tanjore in particular, can ground a

presumption of interested motives, he is himself the most mercenary man I know. His conduct, indeed, is such that he is on all occasions the standing testimony against himself. He it was that first called to that case the attention of the House; the reports of his own committee are ample and affecting upon that subject; and as many of us as have escaped his massacre must remember the very pathetic picture he made of the sufferings of the Tanjore country on the day when he moved the unwieldy code of his Indian resolutions. Has he not stated over and over again in his reports the ill-treatment of the Rajah of Tanjore (a branch of the royal House of the Mahrattas, every injury to whom the Mahrattas felt as offered to themselves) as a main cause of the alienation of that people from the British power? And does he now think that to betray his principles, to contradict his declarations, and to become himself an active instrument in those oppressions which he had so tragically lamented, is the way to clear himself of having been actuated by a pecuniary interest, at the time when he chose to appear full of tenderness to that ruined nation?

The right honorable gentleman is fond of parading on the motives of others, and on his own. As to himself, he despises the imputations of those who suppose that anything corrupt could influence him in this his unexampled liberality of the public

treasure. I do not know that I am obliged to speak to the motives of ministry, in the arrangements they have made of the pretended debts of Arcot and Tanjore. If I prove fraud and collusion with regard to public money on those right honorable gentlemen, I am not obliged to assign their motives; because no good motives can be pleaded in favor of their conduct. Upon that case I stand; we are at issue, and I desire to go to trial. This, I am sure, is not loose railing, or mean insinuation, according to their low and degenerate fashion, when they make attacks on the measures of their adversaries. It is a regular and juridical course; and, unless I choose it, nothing can compel me to go further.

But since these unhappy gentlemen have dared to hold a lofty tone about their motives, and affect to despise suspicion, instead of being careful not to give cause for it, I shall beg leave to lay before you some general observations on what I conceive was their duty in so delicate a business.

If I were worthy to suggest any line of prudence to that right honorable gentleman, I would tell him that the way to avoid suspicion in the settlement of pecuniary transactions, in which great frauds have been very strongly presumed, is to attend to these few plain principles: First, to hear all parties equally, and not the managers for the suspected claimants only. Not to proceed in the

dark; but to act with as much publicity as possible. Not to precipitate decision. To be religious in following the rules prescribed in the commission under which we act. And, lastly, and above all, not to be fond of straining constructions, to force a jurisdiction, and to draw to ourselves the management of a trust in its nature invidious and obnoxious to suspicion, where the plainest letter of the law does not compel it. If these few plain rules are observed, no corruption ought to be suspected; if any of them are violated, suspicion will attach in proportion. If all of them are violated, a corrupt motive of some kind or other will not only be suspected, but must be violently presumed.

The persons in whose favor all these rules have been violated, and the conduct of ministers towards them, will naturally call for your consideration, and will serve to lead you through a series and combination of facts and characters, if I do not mistake, into the very inmost recesses of this mysterious business. You will then be in possession of all the materials on which the principles of sound jurisprudence will found, or will reject, the presumption of corrupt motives; or, if such motives are indicated, will point out to you of what particular nature the corruption is.

Our wonderful minister, as you all know, formed a new plan, a plan *insigne recens alio indictum ore,* a plan for supporting the freedom of our Constitu-

tion by court intrigues, and for removing its corruptions by Indian delinquency. To carry that bold paradoxical design into execution sufficient funds and apt instruments became necessary. You are perfectly sensible that a parliamentary reform occupies his thoughts day and night, as an essential member of this extraordinary project. In his anxious researches upon this subject, natural instinct, as well as sound policy, would direct his eyes and settle his choice on Paul Benfield. Paul Benfield is the grand parliamentary reformer, the reformer to whom the whole choir of reformers bow, and to whom even the right honorable gentleman himself must yield the palm: for what region in the empire, what city, what borough, what county, what tribunal, in this kingdom, is not full of his labors? Others have been only speculators; he is the grand practical reformer; and whilst the Chancellor of the Exchequer pledges in vain the man and the minister to increase the provincial members, Mr. Benfield has auspiciously and practically begun it. Leaving far behind him even Lord Camelford's generous design of bestowing Old Sarum on the Bank of England, Mr. Benfield had thrown in the borough of Cricklade to reinforce the county representation. Not content with this, in order to station a steady phalanx for all future reforms, this public-spirited usurer, amidst his charitable toils for the relief of India,

did not forget the poor rotten Constitution of his native country. For her, he did not disdain to stoop to the trade of a wholesale upholsterer for this House; to furnish it, not with the faded tapestry figures of antiquated merit, such as decorate and may reproach some other Houses, but with real, solid, living patterns of true modern virtue. Paul Benfield made (reckoning himself) no fewer than eight members in the last Parliament. What copious streams of pure blood must he not have transfused into the veins of the present!

But what is even more striking than the real services of this new-imported patriot is his modesty. As soon as he had conferred this benefit on the Constitution, he withdrew himself from our applause. He conceived that the duties of a member of Parliament (which with the elect faithful, the true believers, the *Islam* of parliamentary reform, are of little or no merit, perhaps not much better than specious sins) might be as well attended to in India as in England, and the means of reformation to Parliament itself be far better provided. Mr. Benfield was therefore no sooner elected than he set off for Madras, and defrauded the longing eyes of Parliament. We have never enjoyed in this House the luxury of beholding that minion of the human race, and contemplating that visage which has so long reflected the happiness of nations.

It was therefore not possible for the minister to

consult personally with this great man. What then was he to do? Through a sagacity that never failed him in these pursuits, he found out in Mr. Benfield's representative his exact resemblance. A specific attraction by which he gravitates towards all such characters soon brought our minister into a close connection with Mr. Benfield's agent and attorney; that is, with the grand contractor (whom I name to honor), Mr. Richard Atkinson; a name that will be well remembered as long as the records of this House, as long as the records of the British treasury, as long as the monumental debt of England, shall endure.

This gentleman, Sir, acts as attorney for Mr. Paul Benfield. Every one who hears me is well acquainted with the sacred friendship and the steady mutual attachment that subsists between him and the present minister. As many members as chose to attend in the first session of this Parliament can best tell their own feelings at the scenes which were then acted. How much that honorable gentleman was consulted in the original frame and fabric of the bill, commonly called Mr. Pitt's India Bill, is matter only of conjecture, though by no means difficult to divine. But the public was an indignant witness of the ostentation with which that measure was made his own, and the authority with which he brought up clause after clause to

stuff and fatten the rankness of that corrupt act. As fast as the clauses were brought up to the table, they were accepted. No hesitation; no discussion. They were received by the new minister, not with approbation, but with implicit submission. The reformation may be estimated by seeing who was the reformer. Paul Benfield's associate and agent was held up to the world as legislator of Indostan. But it was necessary to authenticate the coalition between the men of intrigue in India and the minister of intrigue in England by a studied display of the power of this their connecting link. Every trust, every honor, every distinction, was to be heaped upon him. He was at once made a director of the India Company; made an alderman of London; and to be made, if ministry could prevail (and I am sorry to say how near they were prevailing), representative of the capital of this kingdom. But to secure his services against all risk, he was brought in for a ministerial borough. On his part, he was not wanting in zeal for the common cause. His advertisements show his motives and the merits upon which he stood. For your minister, this war-worn veteran submitted to enter into the dusty field of the London contest; and you all remember that in the same virtuous cause he submitted to keep a sort of public office or counting-house, where the whole business of the last general elec-

tion was managed. It was openly managed by the direct agent and attorney of Benfield. It was managed upon Indian principles, and for an Indian interest. This was the golden cup of abominations ; this the chalice of the fornications of rapine, usury, and oppression, which was held out by the gorgeous Eastern harlot, which so many of the people, so many of the nobles of this land, had drained to the very dregs. Do you think that no reckoning was to follow this lewd debauch ? that no payment was to be demanded for this riot of public drunkenness and national prostitution ? Here ! you have it here before you. The principal of the grand election manager must be indemnified ; accordingly the claims of Benfield and his crew must be put above all inquiry.

Here is a specimen of the new and pure aristocracy created by the right honorable gentleman, as the support of the Crown and Constitution, against the old corrupt, refractory, natural interests of this kingdom ; and this is the grand counterpoise against all odious coalitions of these interests. A single Benfield outweighs them all ; a criminal, who long since ought to have fattened the region kites with his offal, is, by his Majesty's ministers, enthroned in the government of a great kingdom, and enfeoffed with an estate which in the comparison effaces the splendor of all the nobility of Europe. To bring a little more distinctly into view

the true secret of this dark transaction, I beg you particularly to advert to the circumstances which I am going to place before you.

The general corps of creditors, as well as Mr. Benfield himself, not looking well into futurity, nor presaging the minister of this day, thought it not expedient for their common interest that such a name as his should stand at the head of their list. It was therefore agreed amongst them that Mr. Benfield should disappear, by making over his debt to Messrs. Taylor, Majendie, and Call, and should in return be secured by their bond.

The debt thus exonerated of so great a weight of its odium, and otherwise reduced from its alarming bulk, the agents thought they might venture to print a list of the creditors. This was done for the first time in the year 1783, during the Duke of Portland's administration. In this list the name of Benfield was not to be seen. To this strong negative testimony was added the further testimony of the Nabob of Arcot. That prince (or rather Mr. Benfield for him) writes to the court of directors a letter full of complaints and accusations against Lord Macartney, conveyed in such terms as were natural for one of Mr. Benfield's habits and education to employ. Amongst the rest, he is made to complain of his Lordship's endeavoring to prevent an intercourse of politeness and sentiment between him and Mr. Benfield; and, to

aggravate the affront, he expressly declares Mr. Benfield's visits to be only on account of respect and of gratitude, as no pecuniary transactions subsisted between them.

Such, for a considerable space of time, was the outward form of the loan of 1777, in which Mr. Benfield had no sort of concern. At length intelligence arrived at Madras that this debt, which had always been renounced by the court of directors, was rather like to become the subject of something more like a criminal inquiry than of any patronage or sanction from Parliament. Every ship brought accounts, one stronger than the other, of the prevalence of the determined enemies of the Indian system. The public revenues became an object desperate to the hopes of Mr. Benfield; he therefore resolved to fall upon his associates, and, in violation of that faith which subsists among those who have abandoned all other, commenced a suit in the mayor's court against Taylor, Majendie, and Call, for the bond given to him, when he agreed to disappear for his own benefit as well as that of the common concern. The assignees of his debt, who little expected the springing of this mine, even from such an engineer as Mr. Benfield, after recovering from their first alarm, thought it best to take ground on the real state of the transaction. They divulged the whole mystery, and were prepared to plead

that they had never received from Mr. Benfield any other consideration for the bond than a transfer, in trust for himself, of his demand on the Nabob of Arcot. A universal indignation arose against the perfidy of Mr. Benfield's proceeding: the event of the suit was looked upon as so certain that Benfield was compelled to retreat as precipitately as he had advanced boldly: he gave up his bond, and was reinstated in his original demand, to wait the fortune of other claimants. At that time, and at Madras, this hope was dull indeed: but at home another scene was preparing.

It was long before any public account of this discovery at Madras had arrived in England that the present minister and his board of control thought fit to determine on the debt of 1777. The recorded proceedings at this time knew nothing of any debt to Benfield. There was his own testimony; there was the testimony of the Nabob of Arcot against it. Yet such was the ministers' feeling of the true secret of this transaction that they thought proper, in the teeth of all these testimonies, to give him license to return to Madras. Here the ministers were under some embarrassment. Confounded between their resolution of rewarding the good services of Benfield's friends and associates in England and the shame of sending that notorious incendiary to the court of the Nabob of Arcot to renew his intrigues against the British government,

at the time they authorize his return, they forbid him, under the severest penalties, from any conversation with the Nabob or his ministers: that is, they forbid his communication with the very person on account of his dealings with whom they permit his return to that city. To overtop this contradiction, there is not a word restraining him from the freest intercourse with the Nabob's second son, the real author of all that is done in the Nabob's name; who, in conjunction with this very Benfield, has acquired an absolute dominion over that unhappy man, is able to persuade him to put his signature to whatever paper they please, and often without any communication of the contents. This management was detailed to them at full length by Lord Macartney, and they cannot pretend ignorance of it.

I believe, after this exposure of facts, no man can entertain a doubt of the collusion of ministers with the corrupt interest of the delinquents in India. Whenever those in authority provide for the interest of any person, on the real but concealed state of his affairs, without regard to his avowed, public, and ostensible pretences, it must be presumed that they are in confederacy with him, because they act for him on the same fraudulent principles on which he acts for himself. It is plain that the ministers were fully apprised of Benfield's real situation, which he had used means to conceal whilst con-

cealment answered his purposes. They were, or the person on whom they relied was, of the cabinet council of Benfield, in the very depth of all his mysteries. An honest magistrate compels men to abide by one story. An equitable judge would not hear of the claim of a man who had himself thought proper to renounce it. With such a judge, his shuffling and prevarication would have damned his claims; such a judge never would have known, but in order to animadvert upon, proceedings of that character.

I have thus laid before you, Mr. Speaker, I think with sufficient clearness, the connection of the ministers with Mr. Atkinson at the general election; I have laid open to you the connection of Atkinson with Benfield; I have shown Benfield's employment of his wealth, in creating a parliamentary interest, to procure a ministerial protection; I have set before your eyes his large concern in the debt, his practices to hide that concern from the public eye, and the liberal protection which he has received from the minister. If this chain of circumstances do not lead you necessarily to conclude that the minister has paid to the avarice of Benfield the services done by Benfield's connections to his ambition, I do not know anything short of the confession of the party that can persuade you of his guilt. Clandestine and collusive practice can only be traced by combination and comparison of

circumstances. To reject such combination and comparison is to reject the only means of detecting fraud; it is indeed to give it a patent and free license to cheat with impunity.

I confine myself to the connection of ministers, mediately or immediately, with only two persons concerned in this debt. How many others, who support their power and greatness within and without doors, are concerned originally, or by transfers of these debts, must be left to general opinion. I refer to the reports of the select committee for the proceedings of some of the agents in these affairs, and their attempts, at least, to furnish ministers with the means of buying general courts, and even whole Parliaments, in the gross.

I know that the ministers will think it little less than acquittal that they are not charged with having taken to themselves some part of the money of which they have made so liberal a donation to their partisans, though the charge may be indisputably fixed upon the corruption of their politics. For my part, I follow their crimes to that point to which legal presumptions and natural indications lead me, without considering what species of evil motive tends most to aggravate or to extenuate the guilt of their conduct. But if I am to speak my private sentiments, I think that in a thousand cases for one it would be far less mischievous to the public, and full as little

dishonorable to themselves, to be polluted with direct bribery than thus to become a standing auxiliary to the oppression, usury, and peculation of multitudes, in order to obtain a corrupt support to their power. It is by bribing, not so often by being bribed, that wicked politicians bring ruin on mankind. Avarice is a rival to the pursuits of many. It finds a multitude of checks, and many opposers, in every walk of life. But the objects of ambition are for the few; and every person who aims at indirect profit, and therefore wants other protection than innocence and law, instead of its rival becomes its instrument. There is a natural allegiance and fealty due to this domineering paramount evil from all the vassal vices, which acknowledge its superiority and readily militate under its banners; and it is under that discipline alone that avarice is able to spread to any considerable extent, or to render itself a general public mischief. It is therefore no apology for ministers that they have not been bought by the East India delinquents, but that they have only formed an alliance with them for screening each other from justice, according to the exigence of their several necessities. That they have done so is evident; and the junction of the power of office in England with the abuse of authority in the East, has not only prevented even the appearance of redress to the grievances of India, but I wish it

may not be found to have dulled, if not extinguished, the honor, the candor, the generosity, the good-nature, which used formerly to characterize the people of England. I confess, I wish that some more feeling than I have yet observed for the sufferings of our fellow creatures and fellow subjects in that oppressed part of the world, had manifested itself in any one quarter of the kingdom, or in any one large description of men.

That these oppressions exist, is a fact no more denied than it is resented as it ought to be. Much evil has been done in India under the British authority. What has been done to redress it? We are no longer surprised at anything. We are above the unlearned and vulgar passion of admiration. But it will astonish posterity, when they read our opinions in our actions, that after years of inquiry we have found out that the sole grievance of India consisted in this, that the servants of the Company there had not profited enough of their opportunities, nor drained it sufficiently of its treasures; when they shall hear that the very first and only important act of a commission specially named by Act of Parliament, is to charge upon an undone country, in favor of a handful of men in the humblest ranks of the public service, the enormous sum of perhaps four millions of sterling money.

It is difficult for the most wise and upright gov-

ernment to correct the abuses of remote delegated power, productive of unmeasured wealth and protected by the boldness and strength of the same ill-got riches. These abuses, full of their own wild native vigor, will grow and flourish under mere neglect. But where the supreme authority, not content with winking at the rapacity of its inferior instruments, is so shameless and corrupt as openly to give bounties and premiums for disobedience to its laws; when it will not trust to the activity of avarice in the pursuit of its own gains; when it secures public robbery by all the careful jealousy and attention with which it ought to protect property from such violence—the commonwealth is then become totally perverted from its purposes; neither God nor man will long endure it; nor will it long endure itself. In that case, there is an unnatural infection, a pestilential taint fermenting in the constitution of society, which fever and convulsions of some kind or other must throw off; or in which the vital powers, worsted in an unequal struggle, are pushed back upon themselves, and by a reversal of their whole functions fester to gangrene, to death; and instead of what was but just now the delight and boast of creation, there will be cast out in the face of the sun a bloated, putrid, noisome carcase, full of stench and poison, an offence, a horror, a lesson to the world.

In my opinion, we ought not to wait for the

fruitless instruction of calamity to inquire into the abuses which bring upon us ruin in the worst of its forms, in the loss of our fame and virtue. But the right honorable gentleman says, in answer to all the powerful arguments of my honorable friend, "that this inquiry is of a delicate nature, and that the State will suffer detriment by the exposure of this transaction." But it is exposed; it is perfectly known in every member, in every particle, and in every way, except that which may lead to a remedy. He knows that the papers of correspondence are printed, and that they are in every hand.

He and delicacy are a rare and singular coalition. He thinks that to divulge our Indian politics may be highly dangerous. He! the mover! the chairman! the reporter of the committee of secrecy! he that brought forth in the utmost detail, in several vast printed folios, the most recondite parts of the politics, the military, the revenues of the British Empire in India! With six great chopping bastards, each as lusty as an infant Hercules, this delicate creature blushes at the sight of his new bridegroom, assumes a virgin delicacy; or, to use a more fit, as well as a more poetic comparison, the person so squeamish, so timid, so trembling lest the winds of heaven should visit too roughly, is expanded to broad sunshine, exposed like the sow of imperial augury, lying in the mud with all

the prodigies of her fertility around her, as evidence of her delicate amours—

Triginta capitum fœtus enixa jacebit,
Alba, solo recubans, albi circum ubera nati.

Whilst discovery of the misgovernment of others led to his own power, it was wise to inquire; it was safe to publish; there was then no danger. But when his object is attained and in his imitation he has outdone the crimes that he had reprobated in volumes of reports and in sheets of bills of pains and penalties, then concealment becomes prudence; and it concerns the safety of the State that we should not know, in a mode of Parliamentary cognizance, what all the world knows but too well: that is, in what manner he chooses to dispose of the public revenues to the creatures of his politics.

The debate has been long, and as much so on my part, at least, as on the part of those who have spoken before me. But, long as it is, the more material half of the subject has hardly been touched on: that is, the corrupt and destructive system to which this debt has been rendered subservient, and which seems to be pursued with at least as much vigor and regularity as ever. If I considered your ease or my own, rather than the weight and importance of this question, I ought

to make some apology to you, perhaps some apology to myself, for having detained your attention so long. I know on what ground I tread. This subject, at one time taken up with so much fervor and zeal, is no longer a favorite in this House. The House itself has undergone a great and signal revolution. To some, the subject is strange and uncouth; to several, harsh and distasteful; to the relics of the last Parliament, it is a matter of fear and apprehension. It is natural for those who have seen their friends sink in the tornado which raged during the late shift of the monsoon, and have hardly escaped on the planks of the general wreck, it is but too natural for them, as soon as they make the rocks and quicksands of their former disasters, to put about their new-built barks, and, as much as possible, to keep aloof from this perilous lee-shore.

But let us do what we please to put India from our thoughts, we can do nothing to separate it from our public interest and our national reputation. Our attempts to banish this importunate duty will only make it return upon us again and again, and every time in a shape more unpleasant than the former. A government has been fabricated for that great province; the right honorable gentleman says that therefore you ought not to examine into its conduct. Heavens! what an argument is this! We are not to examine into

the conduct of the direction, because it is an old government; we are not to examine into this board of control, because it is a new one. Then we are only to examine into the conduct of those who have no conduct to account for. Unfortunately, the basis of this new government has been laid on old condemned delinquents, and its superstructure is raised out of prosecutors turned into protectors. The event has been such as might be expected. But if it had been otherwise constituted—had it been constituted even as I wished, and as the mover of this question had planned, the better part of the proposed establishment was in the proposed publicity of its proceedings, in its perpetual responsibility to Parliament. Without this check, what is our government at home, even awed, as every European government is, by an audience formed of the other States of Europe, by the applause or condemnation of the discerning and critical company before which it acts? But if the scene on the other side the globe, which tempts, invites, almost compels, to tyranny and rapine, be not inspected with the eye of a severe and unremitting vigilance, shame and destruction must ensue. For one, the worst event of this day, though it may deject, shall not break or subdue me. The call upon us is authoritative. Let who will shrink back, I shall be found at my post. Baffled, discountenanced, subdued, discredited, as the cause

of justice and humanity is, it will be only the dearer to me. Whoever, therefore, shall at any time bring before you anything towards the relief of our distressed fellow-citizens in India, and towards a subversion of the present most corrupt and oppressive system for its government, in me shall find a weak, I am afraid, but a steady, earnest, and faithful assistant.

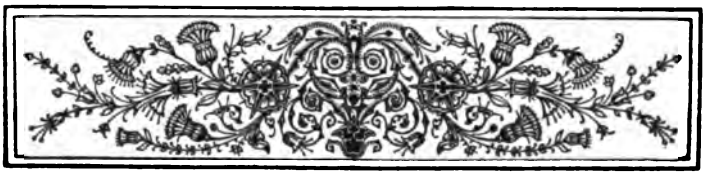
WILLIAM PITT

William Pitt, son of William Pitt, Earl of Chatham, was born in 1759. He was remarkably precocious, but owing to delicate health was educated at home until his entrance at Cambridge in 1773, where he astonished every one by his classical attainments. He cared nothing for modern literature, and was ignorant of all continental languages except French. In 1780 he was called to the bar, and in the same year, after an unsuccessful attempt to be returned from Cambridge, was elected to Parliament as member for Appleby. In February, 1781, he made his maiden speech, and at once achieved prominence. His second notable effort, on the surrender of Cornwallis, was highly eulogized. In 1782, at the age of twenty-three, he was made Chancellor of the Exchequer, and on Shelburne's resignation in 1783 was invited by the King to accept the Premiership, but declined. At the age of twenty-five, Pitt was the most powerful subject ever known in the history of England. It is well said by Macaulay that from this point the history of Pitt is that of the whole civilized world. He became Premier in 1784, and held office continuously up to 1801 — the longest period of Premiership to that time—when he resigned, having been foiled in his scheme for Catholic emancipation, but resumed office in 1804, and held it until his death in 1806. He left a name as the foremost statesman of his day and as a speaker who could turn defeat into victory by his strength, courage, resolution, and undaunted hope.

Pitt was a powerful and finished orator. He was logical and classical in his speeches, rarely witty or metaphorical, but at once strong and elegant. To great command of language he united readiness of resource and power of conviction. His knowledge of his subject was always adequate and generally profound, and his case was presented clearly and simply. His treatment was bold and comprehensive, and his

diction suited to the matter in hand. As a debater, he was equalled among his contemporaries only by Charles Fox.

The most voluminous, as well as accurate biography of Pitt, together with much of his correspondence, is to be found in the *Life of the Right Hon. William Pitt* (4 vols., 1862), by Earl Stanhope.



ON THE RUPTURE OF NEGOTIATIONS WITH FRANCE

William Pitt.

Although Pitt was, to the day of his death, a determined enemy to France, he was very anxious for peace in 1797. He was even willing to make vast concessions to that end, and he used every exertion to perfect the treaty. Although he was not able to effect this, there was no ground for an attack upon him for the policy pursued, and when this came it was weak and badly made. Yet it gave him opportunity for one of his finest efforts in oratory, and his defence of his policy was at once noble and convincing. The speech is faultlessly logical and luminous, and as a statement is unrivalled in the annals of Parliament. There was in the occasion little room for anything beyond exposition, but this he combined with deep feeling, and not infrequently there is a display of passion which strikes through the subject as a gleam of lightning through a summer night. Towards the peroration the speech grows in intensity, and it ends with a passage of real eloquence. Its effect was immediate and powerful; the Address was passed unanimously, the motion for amendment having been previously withdrawn, and the victory for the Government was complete.

SIR,—Having come to this House with the firm conviction that there never existed an occasion when the unanimous concurrence of the House might be more justly expected than on a proposal to agree in the sentiments contained in the Address which has been read, I must confess myself considerably disappointed, in some degree even by the speech of my noble relation, much as I rejoice in the testimony which he has given of his talents

and abilities, and still more by the speech of the honorable baronet, and by the amendment which he has moved. I cannot agree with the noble lord in the extent to which he has stated his sentiments, that we ought to rejoice that peace was not made ; (much less, Sir, can I feel desirous to accept on the part of myself or my colleagues, either from my noble kinsman or any other person, the approbation which he was pleased to express of the manner in which we have concluded the negotiation. We have not concluded the negotiation — the negotiation has been concluded by others. We have not been suffered to continue it. (Our claim to merit, if we have any, our claim to the approbation of our country, is that we persisted in every attempt to conduct that negotiation to a pacific termination, as long as our enemies left us, not the prospect, but the chance or possibility, of doing so consistently with our honor, our dignity, and our safety. We lament and deplore the disappointment of the sincere wishes which we felt and of the earnest endeavors which we employed ; (yet we are far from suffering those sentiments to induce us to adopt the unmanly line of conduct that has been recommended by the honorable baronet. This is not the moment to dwell only on our disappointment, suppress our indignation, or to let our courage, our constancy, and our determination be buried in expressions of

William Pitt.

From the painting by John Hoppner, R.A., in the National Portrait Gallery.

unmanly fear or unavailing regret. Between these two extremes it is that I trust our conduct is directed; and in calling upon the House to join in sentiments between those extremes, I do trust that, if we cannot have the unanimous opinion, we shall have the general and ready concurrence both of the House and of the country.

Sir, before I trouble the House (which I am not desirous of doing at length) with a few points which I wish to recapitulate, let me first call to your minds the general nature of the amendment which the honorable baronet has, under these circumstances, thought fit to propose, and the general nature of the observations by which he introduced it. He began with deploring the calamities of war, on the general topic that all war is calamitous. Do I object to this sentiment? No. But is it our business, at a moment when we feel that the continuance of that war is owing to the animosity, the implacable animosity of our enemy, to the inveterate and insatiable ambition of the present frantic Government of France,—not of the people of France, as the honorable baronet unjustly stated,—is it our business at that moment to content ourselves with merely lamenting in commonplace terms the calamities of war, and forgetting that it is part of the duty which, as representatives of the people, we owe to our government and our country, to state that the continuance of those evils

upon ourselves, and upon France, too, is the fruit only of the conduct of the enemy, that it is to be imputed to them, and not to us?

Sir, the papers which were ordered to be laid on the table have been in every gentleman's hand, and on the materials which they furnish we must be prepared to decide. (Can there be a doubt that all the evils of war, whatever may be their consequences, are to be imputed solely to his Majesty's enemies? Is there any man here prepared to deny that the delay in every stage of the negotiation, and its final rupture, are proved to be owing to the evasive conduct, the unwarrantable pretensions, the inordinate ambition, and the implacable animosity of the enemy? I shall shortly state what are the points (though it is hardly necessary that I should state them, for they speak loudly for themselves) on which I would rest the proposition. But if there is any man who doubts it, is it the honorable baronet? Is it he who makes this amendment, leaving out everything that is honorable to the character of his own country and seeming to court some new complaisance on the part of the French Directory? The honorable baronet, who, as soon as he has stated the nature of his amendment, makes the first part of his speech a charge against his Majesty's ministers for even having commenced the negotiation in the manner and under the circumstances in which they did commence

it—who makes his next charge their having persevered in it, when violations of form and practice were insisted upon in the earliest stage of it? Does he discover that the French Government, whom we have accused of insincerity, have been sincere from the beginning to the end of the negotiation? Or, after having accused his Majesty's ministers for commencing and persevering in it, is the honorable baronet so afraid of being misconstrued into an idea of animosity against the people of France, that he must disguise the truth — must do injustice to the character and cause of his own country, and leave unexplained the cause of the continuance of this great contest? Let us be prepared to probe that question to the bottom, to form our opinion upon it, and to render our conduct conformable to that opinion. This I conceive to be a manly conduct, and, especially at such a moment, to be the indispensable duty of the House.

But let not the honorable baronet imagine there is any ground for his apprehension that by adopting the language of the Address, which ascribes the continuance of the war to the ambition of the enemy, he will declare a system of endless animosity between the nations of Great Britain and France. I say directly the contrary. He who scruples to declare that in the present moment the Government of France are acting as much in contradiction to the known wishes of the French nation

as to the just pretensions and anxious wishes of the people of Great Britain — he who scruples to declare them the authors of this calamity—deprives us of the consolatory hope which we are inclined to cherish of some future change of circumstances more favorable to our wishes. It is a melancholy spectacle, indeed, to see in any country, and on the ruin of any pretence of liberty, however nominal, shallow, or delusive, a system of tyranny erected, the most galling, the most horrible, the most undisguised in all its parts and attributes, that has stained the page of history, or disgraced the annals of the world. But it would be much more unfortunate, if, when we see that the same cause carries desolation through France which extends disquiet and fermentation through Europe — it would be worse, indeed, if we attributed to the nation of France that which is to be attributed only to the unwarranted and usurped authority which involves them in misery, and would, if unresisted, involve Europe with them in one common ruin and destruction. Do we state this to be animosity on the part of the people of France? Do we state this in order to raise up an implacable spirit of animosity against that country? Where is one word to that effect in the declaration to which the honorable gentleman has alluded? He complains much of this declaration, because it tends to perpetuate animosity between two nations which one

day or other must be at peace — God grant that day may be soon! But what does the declaration express upon the subject? Does it express that, because the present existing Government of France has acted as it has acted, we forego the wish or renounce the hope that some new situation may lead to happier consequences? On the contrary, his Majesty's language is distinctly this: "While this determination continues to prevail on the part of his enemies, his Majesty's earnest wishes and endeavors to restore peace to his subjects must be fruitless, but his sentiments remain unaltered. He looks with anxious expectation to the moment when the Government of France may show a temper and spirit in any degree corresponding with his own." I wish to know whether words can be found in the English language which more expressly state the contrary sentiment to that which the honorable baronet imputes. They not only disclaim animosity against the people of France in consequence of the conduct of its rulers, but do not go the length of declaring that, after all this provocation, even with the present rulers, all treaty is impracticable. Whether it is probable that, acting on the principles upon which they have acquired their power, and while that power continues, they will listen to any system of moderation or justice at home or abroad, it is not now necessary to discuss. But for one, I desire to

express my cordial concurrence in the sentiment, so pointedly expressed in that passage of the declaration in which his Majesty, notwithstanding all the provocation he has received, and even after the recent successes which by the blessing of Providence have attended his arms, declares his readiness to adhere to the same moderate terms and principles which he proposed at the time of our greatest difficulties, and to conclude peace on that ground, if it can now be obtained, even with this very Government.

I am sensible that while I am endeavoring to vindicate his Majesty's servants against the charges of the honorable baronet (which are sufficiently, however, refuted by the early part of his own speech), I am incurring, in some degree, the censure of the noble lord to whom I before alluded. According to his principles and opinions, and of some few others in this country, it is a matter of charge against us that we even harbor in our minds, at this moment, a wish to conclude peace upon the terms which we think admissible with the present rulers of France. I am not one of those who can or will join in that sentiment. I have no difficulty in repeating what I stated before, that, in their present spirit, after what they have said, and still more, after what they have done, I can entertain little hope of so desirable an event. I have no hesitation in avowing (for it would be

idleness and hypocrisy to conceal it) that, for the sake of mankind in general, and to gratify those sentiments which can never be eradicated from the human heart, I should see with pleasure and satisfaction the termination of a Government whose conduct and whose origin is such as we have seen that of the Government of France. But that is not the subject—that ought not to be the principle of the war. Whatever wish I may entertain in my own heart, and whatever opinion I may think it fair or manly to avow, I have no difficulty in stating that, violent and odious as is the character of that Government, I verily believe, in the present state of Europe, that if we are not wanting to ourselves, if, by the blessing of Providence, our perseverance and our resources should enable us to make peace with France upon terms in which we taint not our character, in which we do not abandon the sources of our wealth, the means of our strength, the defence of what we already possess —if we maintain our equal pretensions and assert that rank which we are entitled to hold among nations—the moment peace can be obtained on such terms, be the form of government in France what it may, peace is desirable, peace is then anxiously to be sought. But unless it is obtained on such terms, there is no extremity of war—there is no extremity of honorable contest—that is not preferable to the name and pretence of peace,

which must be in reality a disgraceful capitulation, a base, an abject surrender of everything that constitutes the pride, the safety, and happiness of England.

These, Sir, are the sentiments of my mind on this leading point, and with these sentiments I shape my conduct between the contending opinions of the noble lord and of the honorable baronet. But there is one observation of the honorable baronet on which I must now more particularly remark. He has discovered that we state the Directory of France to have been all along insincere, and yet take merit for having commenced a negotiation which we ought never to have commenced without being persuaded of their sincerity. This supposed contradiction requires but a few words to explain it. I believe that those who constitute the present Government of France never were sincere for a moment in the negotiation. From all the information I have obtained, and from every conjecture I could form, I, for one, never was so duped as to believe them sincere. But I did believe, and I thought I knew, that there was a prevailing wish for peace, and a predominant sense of its necessity growing and confirming itself in France, and founded on the most obvious and most pressing motives. I did see a spirit of reviving moderation gradually gaining ground, and opening a way to the happiest

alterations in the general system of that country. I did believe that the violence of that portion of the executive Government which, by the late strange revolution of France, unhappily for France itself and for the world, has gained the ascendency, would have been restrained within some bounds—that ambition must give way to reason—that even frenzy itself must be controlled and governed by necessity. These were the hopes and expectations I entertained. I did, notwithstanding, feel that even from the outset, and in every step of that negotiation, those who happily had not yet the full power to cut it short in the beginning, who dared not trust the public eye with the whole of their designs, who could not avow all their principles, unfortunately, nevertheless, did retain from the beginning power enough to control those who had a better disposition, and to mix in every part of the negotiation (which they could not then abruptly break off) whatever could impede, embarrass, and perplex, in order to throw upon us, if possible, the odium of its failure.

Sir, the system of France is explained by the very objections that are made against our conduct. The violent party could not, as I have stated, at once break off the treaty on their part, but they wished to drive England to a rupture. They have not strength enough to reject all negotiations, yet they have strength enough to mix in every step

those degradations and insults, those inconsistent and unwarranted pretensions in points even of subordinate importance, which reduced ministers to that option which I have described, but which they decided in a way that has exposed them to the censure of the honorable baronet. We chose rather to incur the blame of sacrificing punctilios (at some times essential) rather than afford the enemy an opportunity of evading this plain question: ["Is there any ground, and, if any, what, upon which you are ready to conclude?" To that point it was our duty to drive them. We have driven them to that point. They would tell us no terms, however exorbitant and unwarrantable, upon which they would be ready to make peace. What would have been the honorable baronet's expedient to avoid this embarrassment? It would have been (as he has this day informed us) an address which he had thought of moving in the last session, and which, indeed, I should have been less surprised had he moved than if the House had concurred in it. We would have moved that no project should be given in till the enemy were prepared to present a counter-project. If it was a great misfortune that the Address was not moved, I am afraid some of the guilt belongs to me; because the honorable baronet did suggest such an idea, and I did with great sincerity and frankness tell him that, if he was really a friend to

peace, there was no motion he could make so little calculated to promote that object; and I did prevail upon the honorable baronet to give up the intention. [If I am right in the supposition I have stated—if I am right in thinking our great object was in pressing France to this point and to put the question, "If you have any terms to offer, what are they?"—was there any one way by which we could make it so difficult for them to retain any pretence of a desire of peace as to speak out ourselves, and call upon them either for agreement, or for modification, or for some other plan in their turn? ||By not adopting the honorable baronet's plan, we have put the question beyond dispute, whether peace was attainable at last, and whether our advances would or would not be met on the part of France. And I shall, to the latest hour of my life, rejoice that we were fortunate enough to place this question in the light which defies the powers of misrepresentation; in which no man can attempt to perplex it; and in which it presents itself this day for the decision of the House and of the nation, and calls upon every individual who has at stake the public happiness and his own, to determine for himself whether this is or is not a crisis which requires his best exertions in the defence of his country.

To show which, I shall now proceed, notwithstanding the reproach which has been thrown on

our line of conduct, to show the system even of obstinate forbearance with which we endeavored to overcome preliminary difficulties—the determined resolution on our part to overlook all minor obstacles, and to come to the real essence of discussion upon the terms of peace. To show this, it is not necessary to do more than call to the recollection of the House the leading parts of the declaration of his Majesty; I mean to leave that part of the subject, also, without the possibility of doubt or difference of opinion. It is certainly true that, even previous to any of the circumstances that related to the preliminary forms of the negotiation, the prior conduct of France had offered to any Government that was not sincerely and most anxiously bent upon peace sufficient grounds for the continuance of hostilities. It is true that, in the former negotiation at Paris, Lord Malmesbury was finally sent away, not upon a question of terms of peace — not upon a question of the cession of European or Colonial possessions, but upon the haughty demand of a previous preliminary, which should give up everything on the part of the allies, and which should leave them afterward everything to ask, or rather to require. It is true, it closed in nearly the same insulting manner as the second mission. It is true, too, that subsequent to that period, in the preliminaries concluded between the Emperor and France, it

was agreed to invite the allies of each party to a congress; which, however, was never carried into execution. It was under these circumstances that his Majesty, in the earnest desire of availing himself of that spirit of moderation which had begun to show itself in France, determined to renew those proposals which had been before slighted and rejected. But when this step was taken, what was the conduct of those who had gained the ascendency in France? On the first application to know on what ground they were disposed to negotiate, wantonly, as will be shown by the sequel, and for no purpose but to prevent even the opening of the conferences, they insisted upon a mode of negotiation very contrary to general usage and convenience—contrary to the mode in which they had terminated war with any of the belligerent powers, and directly contrary to any mode which they themselves afterward persisted in following in this very negotiation with us! They began by saying they would receive no proposals for preliminaries, but that conferences should be held for the purpose of concluding at once a definitive treaty.

His Majesty's answer was that it was his desire to adopt that mode only which was most likely to accelerate the object in view, and the powers of his plenipotentiary would apply to either object, either preliminary or definitive. They appeared

content with his answer, but what was the next step? In the simple form of granting a passport for the minister, at the moment they were saying they preferred a definitive peace, because it was the most expeditious — in that very passport, which in all former times has only described the character of the minister, without entering into anything relating to the terms or mode of negotiating — they insert a condition relative to his powers, and that inconsistent with what his Majesty had explained to be the nature of the powers he had intended to give, and with which they had apparently been satisfied. They made it a passport not for a minister coming to conclude peace generally, but applicable only to a definitive and separate peace.

This proceeding was in itself liable to the most obvious objection. But it is more important as an instance to show how, in the simplest part of the transaction, the untractable spirit of France discovered itself. It throws light on the subsequent part of the transaction, and shows the inconsistencies and contradictions of their successive pretensions. As to the condition then made in the passport for the first time, that the negotiation should be for a separate peace, his Majesty declared that he had no choice between a definitive and a preliminary treaty, but, as to a separate peace, his honor and good faith, with regard to

his ally, the Queen of Portugal, would not permit it. (He, therefore, stated his unalterable determination to agree to no treaty in which Portugal should not be included; expressing, at the same time, his readiness that France should treat on the part of Holland and Spain.

On this occasion, the good faith of this country prevailed. The system of violence and despotism was not then ripe, and therefore his Majesty's demand to treat for Portugal was acquiesced in by the Directory. They, at the same time, undertook to treat on their part for their allies, Holland and Spain, as well as for themselves; though in the subsequent part of the negotiation they pretended to be without sufficient power to treat for either.

I must here entreat the attention of the House to the next circumstance which occurred. (When the firmness of his Majesty, his anxious and sincere desire to terminate the horrors of war, and his uniform moderation overcame the violence and defeated the designs of the members of the executive government of France, they had recourse to another expedient, the most absurd as well as the most unjustifiable. They adverted to the rupture of the former negotiation, as if that rupture was to be imputed to his Majesty; and this insinuation was accompanied with a personal reflection upon the minister who was sent by his

Majesty to treat on the part of this country. His Majesty, looking anxiously as he did to the conclusion of peace, disdained to reply otherwise than by observing that this was not a fit topic to be agitated at the moment of renewing a negotiation, and that the circumstances of the transaction were well enough known to Europe and to the world. And the result of this negotiation has confirmed what the former had sufficiently proved, that his Majesty could not have selected, in the ample field of talents which his dominions furnish, any person better qualified to do justice to his sincere and benevolent desire to promote the restoration of peace and his firm and unalterable determination to maintain the dignity and honor of his kingdom.

In spite of these obstacles and others more minute, the British plenipotentiary at length arrived at Lisle. The full powers were transmitted to the respective Governments, and were found unexceptionable; though the supposed defect of these full powers is, three months after, alleged as a cause for the rupture of the negotiation! And what is more remarkable, it did so happen that the French full powers were, on the face of them, much more limited than ours; for they only enabled the commissioners of the Directory to act according to the instructions they were to receive from time to time. On this point it is not

necessary now to dwell; but I desire the House to treasure it in their memory, when we come to the question of the pretence for the rupture of the negotiation.

Then, Sir, I come to the point in which we have incurred the censure of the honorable baronet, for delivering in on our part a project. To this opinion I do not subscribe, for the reasons that I stated before. But can there be any stronger proof of his Majesty's sincerity than his waiving so many points, important in themselves, rather than suffer the negotiation to be broken off? What was our situation? We were to treat with a Government that had in the outset expressed that they would only treat definitively, and, from every part of their conduct which preceded the meeting of our plenipotentiary and their commissioners, we might have expected that they would have been prepared to answer our project almost in twenty-four hours after it was delivered. We stood with respect to France in this predicament — we had nothing to ask of them. The question only was, how much we were to give of that which the valor of his Majesty's arms had acquired from them and from their allies. In this situation, surely, we might have expected that, before we offered the price of peace, they would at least have condescended to say what were the sacrifices which they expected us to make. But, Sir,

in this situation, what species of project was it that was presented by his Majesty's minister? A project the most distinct, the most particular, the most conciliatory and moderate, that ever constituted the first words spoken by any negotiator. And yet of this project what have we heard in the language of the French Government? What have we seen dispersed through all Europe, by that press in France which knows no sentiments but what the French police dictates? What have we seen dispersed by that English press which knows no other use of English liberty but servilely to retail and transcribe French opinions? We have been told that it was a project that refused to embrace the terms of negotiation! Gentlemen have read the papers; how does the fact stand? In the original project, we agreed to give up the conquests we had made from France and her allies, with certain exceptions. For those exceptions a blank was left, in order to ascertain whether France was desirous that the exceptions should be divided between her and her allies, or whether she continued to insist upon a complete compensation, and left England to look for compensation only to her allies. France, zealous as she pretends to be for her allies, had no difficulty in authorizing her ministers to declare that she must retain everything for herself. This blank was then filled up; and it was then distinctly

stated how little, out of what we had, we demanded to keep. In one sense, it remains a blank still: we did not attempt to preclude France from any other mode of filling it up; but, while we stated the utmost extent of our own views, we left open to full explanation whatever points the government of France could desire. We called upon them, and repeatedly solicited them to state something as to the nature of the terms which they proposed, if they objected to ours. It was thus left open to modification, alteration, or concession. But this is not the place, this is not the time, in which I am to discuss whether those terms, in all given circumstances, or in the circumstances of that moment, were or were not the ultimate terms upon which peace ought to be accepted or rejected, if it was once brought to the point when an ultimatum could be judged of. I will not argue whether some greater concession might not have been made with the certainty of peace, or whether the terms proposed constituted an offer of peace upon more favorable grounds for the enemy than his Majesty's ministers could justify. I argue not the one question or the other. It would be inconsistent with the public interest and our duty that we should here state or discuss it. All that I have to discuss is whether the terms, upon the face of them, appear honorable, open, frank, distinct, sincere, and a pledge of

moderation; and I leave it to the good sense of the House whether there can exist a difference of opinion upon this point.

Sir, what was it we offered to renounce to France? In one word, all that we had taken from them. What did this consist of? The valuable, and, almost under all circumstances, the impregnable island of Martinique; various other West India possessions; Saint Lucia, Tobago, the French part of Saint Domingo; the settlements of Pondicherry and Chandernagore; all the French factories and means of trade in the East Indies; and the islands of Saint Pierre and Miquelon. And for what were these renunciations to be made? For peace, and for peace only. And to whom? To a nation which had obtained from his Majesty's dominions in Europe nothing in the course of the war—which had never met our fleets but to add to the catalogue of our victories, and to swell the melancholy lists of their own captures and defeats. To a power which had never separately met the arms of this country by land but to carry the glory and prowess of the British name to a higher pitch; and to a country whose commerce is unheard of; whose navy is annihilated; whose distress, confessed by themselves (however it may be attempted to be dissembled by their panegyrists in this or any other country), is acknowledged by the sighs and groans of the people

of France, and proved by the expostulations and remonstrations occasioned by the violent measures of its executive Government—such was the situation in which we stood—such the situation of the enemy when we offered to make those important concessions as the price of peace. What was the situation of the allies of France? From Spain—who, from the moment she had deserted our cause and enlisted on the part of the enemy, only added to the number of our conquests and to her own indelible disgrace—we made claim of one island, the island of Trinidad—a claim not resting on the mere naked title of possession to counterbalance the general European aggrandizement of France, but as the price of something that we had to give, by making good the title to the Spanish part of Saint Domingo, which Spain had ceded without right, and which cession could not be made without our guarantee. To Holland, having in our hands the whole means of their commerce,—the whole source of their wealth—we offered to return almost all that was valuable and lucrative to them, in the mere consideration of commerce. We desired, in return, to keep what to them, in a pecuniary point of view, would be only a burden (the Cape of Good Hope and the island of Ceylon); in a political view worse than useless, because they had not the means to keep it—what (had we granted it) would have been a sacrifice, not to them, but to

France—what would in future have enabled her to carry on her plan of subjugation against the Eastern possessions of Holland itself, as well as against those of Great Britain. All that we asked was, not indemnification for what we had suffered, but the means of preserving our own possessions and the strength of our naval empire. We did this at a time when our enemy was feeling the pressure of war; and who looks at the question of peace without some regard to the relative situation of the country with which you are contending? Look, then, at their trade; look at their means; look at the posture of their affairs; look at what we hold, and at the means we have of defending ourselves, and our enemy of resisting us, and tell me whether this offer was or was not a proof of sincerity, and a pledge of moderation. Sir, I should be ashamed of arguing it. I confess I am apprehensive we may have gone too far in the first proposals we made, rather than show any backwardness in the negotiation; but it is unnecessary to argue this point.

Our proposal was received and allowed by the French plenipotentiaries and transmitted for the consideration of the Directory. Months had elapsed in sending couriers weekly and daily from Paris to Lisle, and from Lisle to Paris. They taught us to expect, from time to time, a consideration of this subject and an explicit answer to our project.

But the first attempt of the Directory to negotiate, after having received our project, is worthy of remark. They required that we, whom they had summoned to a definitive treaty, should stop and discuss preliminary points, which were to be settled without knowing whether, when we had agreed to them all, we had advanced an inch. We were to discuss whether his Majesty would renounce the title of King of France, a harmless feather at most in the crown of England. We were to discuss whether we would restore those ships taken at Toulon, the acquisition of valor, and which we were entitled upon every ground to hold. We were to discuss whether we would renounce the mortgage which we might possess on the Netherlands, and which engaged much of the honorable baronet's attention; but it does so happen that what the honorable baronet considered as so important was of no importance at all; for a mortgage on the Netherlands we have none, and consequently we have none to renounce. Therefore, upon that condition, which they had no right to ask and we had no means of granting, we told them the true state of the case, and that it was not worth talking about.

The next point which occurred is of a nature which is difficult to dwell upon without indignation. We were waiting the fulfilment of a promise, which had been made repeatedly, of delivering

to our ambassador a counter-project, when they who had desired us to come for the purpose of concluding a definitive treaty proposed that we should subscribe, as a *sine qua non* preliminary, that we were ready, in the first instance, to consent to give up all that we had taken, and then to hear what they had further to ask! Is it possible to suppose that such a thing could be listened to by any country that was not prepared to prostrate itself at the feet of France, and in that abject posture to adore its conqueror, to solicit new insults, to submit to demands still more degrading and ignominious, and to cancel at once the honor of the British name? His Majesty had no hesitation in refusing to comply with such insolent and unwarrantable demands. Here, again, the House will see that the spirit of the violent part of the French Government, which had the insolence to advance this proposition, had not acquired power and strength in that state of the negotiation to adhere to it. His Majesty's explanations and remonstrations for a time prevailed; and an interval ensued in which we had a hope that we were advancing to a pacification. His Majesty's refusal of this demand was received by the French plenipotentiaries with assurances of a pacific disposition, was transmitted to their Government, and was seconded by a continued and repeated repetition of promises that a counter-project should be presented — pre-

tending that they were under the necessity of sending to their allies an account of what had passed, and that they were endeavoring to prevail on them to accede to proposals for putting an end to the calamities of war—to terminate the calamities of war into which those allies were forced; in which they were retained by France alone; and in which they purchased nothing but sacrifices to France and misery to themselves. We were told, indeed, in a conference that followed, that they had obtained an answer; but that, not being sufficiently satisfactory, it was sent back to be considered! This continued during the whole period, until that dreadful catastrophe of the 4th of September, 1797. Even after that event, the same pretence was held out: they peremptorily promised the counter-project in four days; the same pacific professions were renewed, and our minister was assured that the change of circumstances in France should not be a bar to the pacification. Such was the uniform language of the plenipotentiaries in the name of the Government—how it is proved by their actions, I have already stated to the House. After this series of professions, what was the first step taken by the French to go on with the negotiation in this spirit of conciliation? Sir, the first step was to renew (as his Majesty's declaration has well stated), in a shape still more offensive, the former inadmissible and rejected demand—the

rejection of which had been acquiesced in by themselves two months before, and during all which time we had been impatiently waiting for the performance of the promises. That demand was the same as I have already stated in substance, that Lord Malmesbury should explain to them not only his powers, but also his instructions; and they asked not for the formal extent of his power, which would give solidity to what he might conclude in the King's name, but they asked an irrevocable pledge that he would consent to give up all that we had taken from them and from their allies, without knowing how much more they had afterward to ask! It is true, they endeavored to convince Lord Malmesbury that, although an avowal of his instructions was demanded, it would never be required that he should act upon it—since there was a great difference between knowing the extent of the powers of a minister and insisting upon their exercise. And here I would ask the honorable baronet whether he thinks if, in the first instance, we had given up all to the French plenipotentiaries, they would have given it all back again to us? Suppose I was ambassador from the French Directory, and the honorable baronet was ambassador from Great Britain, and I were to say to him, "Will you give up all you have gained? it would only be a handsome thing in you as an Englishman, and no ungenerous use shall be made of it":

would the honorable baronet expect me, as a French ambassador, to say : " I am instructed, from the good nature of the Directory, to say you have acted handsomely, and I now return what you have so generously given " ? Should we not be called children and drivellers, if we could act in this manner ? And, indeed, the French Government could be nothing but children and drivellers if they could suppose that we should have acceded to such a proposal. But they are bound, it seems, by sacred treaties ! They are bound by immutable laws ! They are sworn when they make peace to return everything to their allies ! And who shall require of France, for the safety of Europe, to depart from its own pretensions to honor and independence ?

If any person can really suppose that this country could have agreed to such a proposition, or that such a negotiation was likely to lead to a good end, all I can say is, that with such a man I will not argue. I leave others to imagine what was likely to have been the end of a negotiation in which it was to have been settled as a preliminary that you were to give up all that you had gained ; and when, on the side of your enemy, not a word was said of what he had to propose afterward. They demand of your ambassador to show to them, not only his powers, but also his instructions, before they explain a word of theirs ; and

they tell you, too, that you are never to expect to hear what their powers are until you shall be ready to accede to everything which the Directory may think fit to require. This is certainly the substance of what they propose; and they tell you also that they are to carry on the negotiation from the instructions which their plenipotentiaries are to receive from time to time from them. You are to have no power to instruct your ambassador! You are to show to the enemy at once all you have in view! And they will only tell you from time to time, as to them shall seem meet, what demands they shall make.

It was thus it was attempted, on the part of the French, to commence the negotiation. In July, this demand was made to Lord Malmesbury. He stated that his powers were ample. In answer to this, they went no farther than to say that if he had no such power as what they required he should send to England to obtain it. To which he replied that he had not, nor should he have it if he sent. In this they acquiesce, and attempt to amuse us for two months. At the end of that time, the plenipotentiaries say to Lord Malmesbury, not what they said before, "Send to England for power to accede to proposals which you have already rejected"; but, "Go to England yourself for such powers, in order to obtain peace."

Such was the winding up of the negotiation. Such was the way in which the prospect of peace has been disappointed by the conduct of France; and I must look upon the dismissal of Lord Malmesbury as the last stage of the negotiation, because the undisguised insult by which it was pretended to be kept up for ten days after Lord Malmesbury was sent away was really below comment. You send him to ask for those powers which you were told he had not, and in the refusal of which you acquiesced. You have asked as a preliminary that which is monstrous and exorbitant. That preliminary you were told would not be complied with, and yet the performance of that preliminary you made the *sine qua non* conditions of his return! Such was the last step by which the French Government has shown that it had feeling enough left to think it necessary to search for some pretext to color its proceedings. But they are such proceedings that no pretext or artifice can cover them, as will appear more particularly from the papers officially communicated to the House.

But here the subject does not rest. If we look to the whole complexion of this transaction, the duplicity, the arrogance, and violence which has appeared in the course of the negotiation; if we take from thence our opinion of its general result, we shall be justified in one conclusion: not that

the people of France — not that the whole Government of France — but that part of the Government which had too much influence, and has now the whole ascendency, never was sincere — was determined to accept of no terms but such as would make it neither durable nor safe; such as could only be accepted by this country by a surrender of all its interests and by a sacrifice of every pretension to the character of a great, a powerful, or an independent nation.

This, Sir, is inference no longer. You have their own open avowal. You have stated in the subsequent declaration of France itself that it is not against your commerce, that it is not against your wealth, it is not against your possessions in the East or your colonies in the West, it is not against even the source of your maritime greatness, it is not against any of the appendages of your Empire, but against the very essence of liberty, against the foundation of your independence, against the citadel of your happiness, against your Constitution itself, that their hostilities are directed. They have themselves announced and proclaimed the proposition that what they mean to bring with their invading army is the genius of their liberty. I desire no other word to express the subversion of the British Constitution and the substitution of the most malignant and fatal contrast — the annihilation of British liberty, and the obliteration of

everything that has rendered you a great, a flourishing, and a happy people.

This is what is at issue. For this are we to declare ourselves in a manner that deprecates the rage which our enemy will not dissemble, and which will be little moved by our entreaty! Under such circumstances, are we ashamed or afraid to declare, in a firm and manly tone, our resolution to defend ourselves, or to speak the language of truth with the energy that belongs to Englishmen united in such a cause? Sir, I do not scruple, for one, to say, if I knew nothing by which I could state to myself a probability of the contest terminating in our favor, I would maintain that the contest, with its worst chances, is preferable to an acquiescence in such demands.

If I could look at this as a dry question of prudence; if I could calculate it upon the mere grounds of interest, I would say, if we love that degree of national power which is necessary for the independence of the country and its safety; if we regard domestic tranquillity, if we look at individual enjoyment, from the highest to the meanest among us, there is not a man whose stake is so great in the country that he ought to hesitate a moment in sacrificing any portion of it to oppose the violence of the enemy—nor is there, I trust, a man in this happy and free nation whose stake is so small that he would not be ready to sacrifice his

life in the same cause. If we look at it with a view to safety, this would be our conduct. But if we look at it upon the principle of true honor, of the character which we have to support, of the example which we have to set to the other nations of Europe; if we view rightly the lot in which Providence has placed us, and the contrast between ourselves and all the other countries in Europe, gratitude to that Providence should inspire us to make every effort in such a cause. There may be danger; but on the one side there is danger accompanied with honor, on the other side there is danger with indelible shame and disgrace; upon such an alternative Englishmen will not hesitate. I wish to disguise no part of my sentiments upon the grounds on which I put the issue of the contest. I ask whether up to the principles I have stated we are prepared to act? Having done so, my opinion is not altered; my hopes, however, are animated by the reflection that the means of our safety are in our own hands; for there never was a period when we had more to encourage us. In spite of heavy burdens, the radical strength of the nation never showed itself more conspicuous; its revenue never exhibited greater proofs of the wealth of the country; the same objects which constitute the blessings we have to fight for furnish us with the means of continuing them. But it is not upon that point I

rest. There is one great resource, which I trust will never abandon us, and which has shone forth in the English character, by which we have preserved our existence and fame as a nation, which I trust we shall be determined never to abandon under any extremity, but shall join hand and heart in the solemn pledge that is proposed to us, and declare to his Majesty that we know great exertions are wanted; that we are prepared to make them; and are, at all events, determined to stand or fall by the Laws, Liberties, and Religion of our country.

CHARLES JAMES FOX

Charles James Fox was born in 1749, and was educated at Eton and Oxford. He was remarkably precocious, and at the age of nineteen was elected to Parliament as member for Midhurst, but wisely refrained from debate until after passing his majority. He then supported the administration of Lord North, and was made one of the lords of the Admiralty. He quarrelled with his patron, however, lost his post, and joined the opposition. He was active in advocating the claims of the American colonists, and strongly opposed the war, foreseeing and foretelling the advantages of separation. In 1782, on the downfall of the ministry, Fox was made one of the Secretaries of State. But it was not until the advent of William Pitt, the younger, that Fox's powers as orator and statesman were seen to their full advantage. As leader of the opposition, he proved himself one of the great speakers of all time, notwithstanding that he was given to the indulgence of the most dissipated habits, which did not seem to impair his strength or fire. He was always an advocate for moderation, and possessed the respect, and often esteem, of political enemies as well as friends. Upon the death of Pitt, Fox was recalled to the head of the administration, but did not live long enough for his policy of peace and non-intervention to be fairly tried, dying in 1806.

Fox was one of the greatest debaters ever known, and was termed by one of his contemporaries "the most Demosthenian speaker since Demosthenes." He owed none of his effects to personal aids ; his gestures were awkward, his voice harsh, his delivery either hesitating or hurried. But he always held his audience. He had a singular simplicity and steadiness which did not allow the attention to flag, his reasoning was cramped but convincing, he never wasted words on trifles, but went at once to the core of the matter at issue.

His arrangement was apt to be disconnected, but he overcame this by a prevailing unity of feeling. His blows were keen and telling, his classical knowledge wide and ready, his sense of fitness quick and sure.

The only work left by Fox was a fragment, entitled *History of the Early Part of the Reign of James II.*, reaching only to the year 1685. *The Early History of Charles James Fox*, by Trevelyan, is able and interesting, but closes with the year 1774. The *Memorials and Correspondence of Fox*, by his nephew, Lord Holland, and edited by Lord John Russell, is comprehensive and valuable.

ON SECRET INFLUENCE

Charles James Fox.

The speech of Charles James Fox on secret influence was brought about by the attempt to defeat his East India Bill. At first there seemed to be no doubt that the bill would pass the House of Lords by a large majority, but rumors began to prevail that the King had expressed to Lord Temple a strong desire that the bill should be defeated, though Temple, on being publicly questioned, would neither affirm nor deny anything. A motion by Mr. Baker, to the effect that it was a high crime and misdemeanor to report any real or pretended opinion of his Majesty on any pending bill, brought out a reply from Pitt, and it was in answer to this vehement attack that Fox spoke. He made no effort to conceal his indignation at the treatment to which he, as head of the ministry, had been subjected, and his scathing eloquence was never heard to better advantage. The speech is throughout a noble reprobation of ignoble methods, and while it is not a specimen of eloquence in the sense of polished phrases or chaste expression, it is simple, lucid, and powerful, and is an excellent example of Fox's powers as a debater.

I DID not intend, Sir, to have said anything in addition to that which has been already urged so ably in favor of the resolution now agitated. In my own opinion, its propriety and necessity are completely and substantially established. A few particulars, suggested in the course of the debate by gentlemen on the other side of the House, may be thought, however, to merit some animadversion. And, once for all, let no man complain of strong language. Things are now arrived at such

a crisis as renders it impossible to speak without warmth. Delicacy and reserve are criminal where the interests of Englishmen are at hazard. The various points in dispute strike to the heart; and it were unmanly and pusillanimous to wrap up in smooth and deceitful colors objects which, in their nature and consequences, are calculated to fill the House and the country with a mixture of indignation and horror.

This, at least, has made such an impression on my mind that I never felt so much anxiety; I never addressed this House under such a pressure of impending mischief; I never trembled so much for public liberty as I now do. The question before the House involves the rights of Parliament in all their consequences and extent. These rights are the basis of our Constitution, and form the spirit of whatever discriminates the government of a free country. And have not these been threatened and assaulted? Can they exist a moment in opposition to such an interference as that which is supposed by the resolution, and has been stated by several honorable gentlemen to have taken place? No; human nature is not sufficiently perfect to resist the weight of such a temptation. When, therefore, shall the House assert its dignity, its independence, its prerogatives, by a resolute and unequivocal declaration of all its legal and constitutional powers, but in the instant of their danger?

Charles James Fox.

From an engraving by W. Holl.

CHARLES JAMES FOX.

The disease, Sir, is come to a crisis ; and now is the juncture which destines the patient to live or die. We are called to sanctify or oppose an absolute extinction of all for which our ancestors struggled and expired. We are called to protect and defend, not only the stipulated franchises of Englishmen, but the sacred privileges of human nature. We are called to protract the ruin of the Constitution. The deliberations of this night must decide whether we are to be free men or slaves ; whether the House of Commons be the palladium of liberty or the organ of despotism ; whether we are henceforth to possess a voice of our own, or to be only the mechanical echo of secret influence. Is there an individual, who feels for his own honor, callous to an apprehension of such a consequence as this ? Does not every regard which he owes to a body that cannot be degraded without his disgrace, that cannot expire without involving his fate, rouse his indignation and excite him to every exertion, both in his individual and delegated capacity, which can reprobate, suspend, or destroy a practice so inimical to public prosperity, as well as hostile to the very existence of this House ?

But what is this resolution ? It has been called, with great technical acuteness, a truism, which seems as incapable of discussion as it is of proof. The foundation of it, however, is a matter of such general and palpable notoriety as to put every

degree of scepticism to defiance. Rumors of a most extraordinary nature have been disseminated in no common way, and by no inferior agents. A noble Earl is said to have used the name of Majesty with the obvious and express intention of affecting the decisions of the Legislature concerning a bill, of infinite consequence to thirty millions of people, pending in Parliament. I tell gentlemen this is not a newspaper surmise, but something much stronger and more serious; this is a written record to be produced. This letter is not to be put in the balance with the lie of the day. It states, that "his Majesty allowed Earl Temple to say that whoever voted for the India Bill were not only not his friends, but he should consider them as his enemies; and, if these words were not strong enough, Earl Temple might use whatever words he might deem stronger or more to the purpose." Is this parliamentary, or is it truth? Where is the man who dares to affirm the one or deny the other; or to say that he believes in his conscience such a rumor was not calculated to produce an immediate effect? It certainly tended, in the first instance, to vilify, in the grossest and most violent manner, the proceedings of Parliament. It says to the public that we are not equal to our trust; that we either ignorantly or wilfully betray the interest of our constituents; and that we are not to be guided in our decisions by their convictions or our own,

but by that unseen and mysterious authority of which the Sovereign, his counsellors, and the Legislature, are only the blind and passive instruments. Both Houses of Parliament are, consequently, parties in the contest, and reduced, by this unfortunate and wicked device, to the predicament of a man struggling for his life. We are robbed of our rights, with a menace of immediate destruction before our face. From this moment, farewell to every independent measure! Whenever the liberties of the people, the rights of private property, or the still more sacred and invaluable privileges of personal safety, invaded, violated, or in danger, are vindicated by this House, where alone they can be legally and effectually redressed, the hopes of the public, anxious, eager, and panting for the issue, are whispered away and forever suppressed by the breath of secret influence. A Parliament thus fettered and controlled, without spirit and without freedom, instead of limiting, extends, substantiates, and establishes, beyond all precedent, latitude, or condition, the prerogatives of the Crown. But, though the British House of Commons were so shamefully lost to its own weight in the Constitution, were so unmindful of its former struggles and triumphs in the great cause of liberty and mankind, were so indifferent and treacherous to those primary objects and concerns for which it was originally instituted, I trust

the characteristic spirit of this country is still equal to the trial; I trust Englishmen will be as jealous of secret influence as superior to open violence; I trust they are not more ready to defend their interests against foreign depredation and insult than to encounter and defeat this midnight conspiracy against the Constitution.

The proposition of this evening is, therefore, founded on a fact the most extraordinary and alarming this country could possibly hear; a fact which strikes at the great bulwark of our liberties, and goes to an absolute annihilation, not only of our chartered rights, but of those radical and fundamental ones which are paramount to all charters, which were consigned to our care by the sovereign disposition of nature, which we cannot relinquish without violating the most sacred of all obligations, to which we are entitled, not as members of society, but as individuals and as men: the rights of adhering steadily and uniformly to the great and supreme laws of conscience and duty: of preferring, at all hazards and without equivocation, those general and substantial interests which we have sworn to prefer; of acquitting ourselves honorably to our constituents, to our friends, to our own minds, and to that public whose trustees we are and for whom we act.

How often shall the friends of the noble Earl whom I have named be called upon to negative

the proposition, by vouching for him his innocence of the charge? Will any of them lay their hand on their heart and disavow the fact in that nobleman's name? Let them fairly, honorably, and decidedly put an end to that foul imputation which rests on his conduct, and the House must immediately dismiss the report as idle and ill founded. But, while no man comes honestly forward and takes truth by the hand, we must look to the consequence. This House must not lose sight of its rights and those of the community. The latter can subsist no longer than the former are safe. We now deliberate on the life and blood of the Constitution. Give up this point, and we seal our own quietus, and are accessory to our own insignificance or destruction.

But how is the question, thus unsuccessfully put to the friends and abettors of secret influence in this, answered when put to the noble principal in the other House? Is he ready and eager to vindicate his own character and rescue that of his Sovereign from so foul a reproach? No; but he replies in that mean, insidious, equivocal, and temporizing language which tends to preserve the effect without boldly and manfully abiding by the consequences of the guilt. Such was the answer, as mysterious and ill designed as the delinquency it was intended to conceal; and the man only who could stoop to the baseness of the one was

the most likely in the world to screen himself behind the duplicity of the other. What, then, shall we infer from a system of acting and speaking thus guarded and fallacious, but that the device was formed to operate on certain minds, as it is rumored to have done; and that such a shallow and barefaced pretext could influence those only who, without honor or consistency, are endowed with congenial understandings!

Had this alarming and unconstitutional interference happened in matters of no consequence, or but of inferior consequence, the evil would not have appeared of such magnitude as it does. But let us consider the nature of the business which it is intended to impede or suppress. For nearly twenty years have the affairs of the East India Company, more or less, occasionally engrossed the attention of Parliament. Committees of this House, composed of the most able, industrious, and upright characters, have sat long, indefatigably, and assiduously, in calling forth, arranging, digesting, and applying every species of evidence which could be found. Reports of their honest and elaborate conduct are before the House. The public feel the pressure of this monstrous and multifarious object. Gentlemen in opposition were, at least, not insensible to its necessity, its urgency, and its importance. A right honorable gentleman who has distinguished himself so much upon this

occasion protested very solemnly against all palliatives, expedients, or any abortive substitutes for radical and complete measures. To meet that right honorable gentleman's idea, as well as to suit the exigence of the case, the present bill was brought in. It has been called a rash, inconsiderate, and violent measure. The House is aware what discussion it has occasioned; and I dare any one to mention a single argument brought against it which has not been candidly and fairly tried, not by the weight of a majority, but by the force of plain and explicit reasoning. No bill was more violently and systematically opposed, investigated at greater length, or with more ability; passed the House under the sanction of a more respectable and independent majority; or had more the countenance and patronage of the country at large. How, then, did it succeed in the other House? What was the reception which, thus circumstanced, it received from their Lordships? Some degree of decency might have been expected from one branch of the Legislature to another. That respectable independence which ought to be the leading feature in their decisions is not incompatible with, but essential to, such a mutual deference for the procedure of each as must be the consequence of acting constitutionally. The bill, however, though matured and debated by all the abilities of this House, though urged by the most

powerful of all arguments, necessity, and though recommended by almost two to one on every division it occasioned, will, in all probability, be lost.

But, Sir, I beseech the House to attend to the manner in which it is likely to meet such a fate. Is this to be effected by the voice of an independent majority? Can any man view the Lords of the Bedchamber in that respectable light? and the whole fortune of the measure now depends on their determination. The rumor, so often stated and alluded to, was calculated and intended to answer an immediate and important end. I am far from saying that it ought. Those in high office and of elevated rank should prove themselves possessed of high and elevated sentiments; should join to an exquisite sense of personal honor the most perfect probity of heart; should discover as much dignity and strength of understanding as may be naturally expected from a superior education, the distinctions of fortune, and the examples of the great and the wise. But how does this description agree with their mode of managing their proxies? These they cordially give in [to the ministry] before a rumor of the King's displeasure reaches their ears. The moment this intimation is made, on the same day, and within a few hours, matters appear to them in quite a different light, and the opinion which they embraced in the morning is renounced at noon. I am as ready as any

man to allow, what is barely probable, that these lords might receive new convictions, which, like a miracle, operated effectually and at once; and that, notwithstanding their proxies, from such a sudden and extraordinary circumstance, without hearing any debate or evidence on the subject, they might feel an immediate and unaccountable impulse to make their personal appearance and vote according to their consciences. Who would choose to say that all this may not actually have been the case? There is certainly, however, a very uncommon coincidence in their lordships' peculiar situation and this unexpected revolution of sentiment; and, were I disposed to treat the matter seriously, the whole compass of language affords no terms sufficiently strong and pointed to mark the contempt which I feel for their conduct. It is an impudent avowal of political profligacy; as if that species of treachery were less infamous than any other. It is not merely a degradation of a station which ought to be occupied only by the highest and most exemplary honor, but forfeits their claim to the characters of gentlemen, and reduces them to a level with the meanest and the basest of the species; it insults the noble, the ancient, and the characteristic independence of the English peerage, and is calculated to traduce and vilify the British Legislature in the eyes of all Europe and to the latest posterity. By what

image nobility can thus charm vice into virtue I know not, nor wish to know; but in any other thing than politics, and among any other men than Lords of the Bedchamber, such an instance of the grossest perfidy would, as it well deserves, be branded with infamy and execration.

Is there anything, then, Sir, more plain and obvious than that this great, this important, this urgent measure is become the handle of a desperate faction, whose principal object is power and place? It is the victim, not of open and fair reasoning, but of that influence which shuns the light and shrinks from discussion. Those who pledged their honor in its support, from an acknowledged conviction of its rectitude, its propriety, and utility, have broken that faith and relinquished their own judgments, in consequence of a rumor that such a conduct would be personally resented by the Sovereign. What bill, in the history of Parliament, was ever so traduced, so foully misrepresented and betrayed in its passage through the different branches of the Legislature? The stroke which must decide the contest can not come from its real enemies, but its false friends; and its fate, without example in the annals of this House, will be handed down to the remotest posterity, not as a trophy of victory, but as a badge of treachery.

Here, sir, the right honorable gentleman [Mr.

Pitt], with his usual liberality, upbraids me with monopolizing, not only all the influence of the Crown, the patronage of India, and the principles of Whigism, but the whole of the royal confidence; but all such round, unqualified, and unfounded imputations must be contemptible, because they are not true; and the bitterest enemy, not lost to every sense of manliness, would scorn to become an accuser on grounds so palpably false. It is, indeed, as it has always been, my only ambition to act such a part in my public conduct as shall eventually give the lie to every species of suspicion which those who oppose me seem so anxious to create and circulate; and if to compass that by every possible exertion from which no man in the sound exercise of his understanding can honestly dissent be a crime, I plead guilty to the charge. This I am not ashamed to avow the predominating passion of my life; and I will cherish it in spite of calumny, declamation, and intrigue, at the risk of all I value most in the world.

But, Sir, in this monopoly of influence, the Lords of the Bedchamber ought, at least for the sake of decency, to have been excepted. These, we all know, are constantly at the beck of whoever is minister of the day. How often have they not been stigmatized with the name of "the household troops," who, like the Prætorian bands of ancient Rome, are always prepared for the ready

execution of every secret mandate! I remember a saying of an able statesman whom, though I differed with him in many things, I have ever acknowledged to be possessed of many eminent and useful qualities. The sentence I allude to I have always admired for its boldness and propriety. It was uttered by the late George Grenville in experiencing a similar treachery; and would to God the same independent and manly sentiments had been inherited by all who bear the name! "I will never again," said he, "be at the head of a string of janizaries, who are always ready to strangle or despatch me on the least signal."

Where, Sir, is that undue, that unconstitutional, influence with which the right honorable gentleman upbraids me and those with whom I act? Are our measures supported by any other means than ministers have usually employed? In what, then, am I the champion of influence? Of the influence of sound and substantial policy, of open, minute, and laborious discussion, of the most respectable Whig interest in the kingdom, of an honorable majority in this House, of public confidence and public responsibility, I am proud to avail myself, and happy to think no man can bar my claim. But every sort of influence unknown to the Constitution, as base in itself as it is treacherous in its consequences, which is always successful because incapable of opposition, nor ever

successful but when exerted in the dark,—which, like every other monster of factious breed, never stalks abroad but in the absence of public principle, never assumes any other shape than a whisper, and never frequents any more public place of resort than the back stairs or closet at St. James's — all this secret, intriguing, and underhand influence I am willing and ready to forego. I will not even be the minister of a great and free people on any condition derogatory to my honor and independence as a private gentleman. Let those who have no other object than place have it, and hold it by the only tenure worthy of their acceptance, secret influence; but without the confidence of this House, as well as that of the Sovereign, however necessary to my circumstances, and desirable to my friends, the dignity and emoluments of office shall never be mine.

The task, therefore, the gentleman has assigned me, of being the champion of influence, belongs more properly to himself, who has this night stood forward in defence of a practice which can not be indulged for a moment but at the imminent risk of everything great and valuable which our Constitution secures. With what consistency he embarks in a cause so hostile and ominous to the rights and wishes of Englishmen, those who have known his connections and observed his professions will judge. Let him not, then, in the

paroxysm of party zeal, put a construction on my conduct which it will not bear, or endeavor to stamp it with the impression of his own. For that influence which the Constitution has wisely assigned to the different branches of the Legislature, I ever have contended, and, I trust, ever shall. That of the Crown, kept within legal boundaries, is essential to the practice of government; but woe to this country the moment its operations are not as public and notorious as they are sensible and effective! A great writer has said that the English Constitution will perish when the legislative becomes more corrupt than the executive power. Had he been as sound a judge of the practice as of the theory of government, he might have added, with still greater truth, that we shall certainly lose our liberty when the deliberations of Parliament are decided, not by the legal and usual, but by the illegal and extraordinary exertions of prerogative.

The right honorable gentleman declares that if the king is thus prevented from consulting his peers, who are constitutionally styled the ancient and hereditary counsellors of the Crown, or any other of his subjects, whenever he is pleased to call for it, he would be a captive on his throne, and the first slave in his own dominions. Does he, then, affect to think or allege that it is the desire of ministers to proscribe all social intercourse

between his Majesty and his subjects? I will tell the right honorable gentleman thus far his argument goes, and that is something worse than puerility and declamation; it is disguising truth under such colors as are calculated to render it odious and detestable. The Lords are undoubtedly entitled to advise the Throne collectively; but this does not surely entitle every noble individual to take his Majesty aside, and, by a shocking farrago of fiction and fear, poison the royal mind with all their own monstrous chimera! Whoever knows the mode of digesting business in the cabinet must be sensible that the least interference with anything pending in Parliament must be dangerous to the Constitution. The question is not whether his Majesty shall avail himself of such advice as no one readily avows, but, who is answerable for such advice. Is the right honorable gentleman aware that the responsibility of ministers is the only pledge and security the people of England possess against the infinite abuses so natural to the exercise of this power? Once remove this great bulwark of the Constitution, and we are in every respect the slaves and property of despotism. And is not this the necessary consequence of secret influence?

How, Sir, are ministers situated on this ground? Do they not come into power with a halter about their necks, by which the most contemptible

wretch in the kingdom may despatch them at pleasure? Yes, they hold their several offices, not at the option of the sovereign, but of the very reptiles who burrow under the throne. They act the part of puppets, and are answerable for all the folly, the ignorance, and the temerity or timidity of some unknown juggler behind the screen; they are not once allowed to consult their own, but to pay an implicit homage to the understandings of those whom to know were to despise. The only rule by which they are destined to extend authority over free men is a secret mandate which carries along with it no other alternative than obedience — or ruin! What man who has the feelings, the honor, the spirit, or the heart of a man would stoop to such a condition for any official dignity or emolument whatever? Boys, without judgment, experience of the sentiments suggested by the knowledge of the world, or the amiable decencies of a sound mind, may follow the headlong course of ambition thus precipitantly, and vault into the seat while the reins of government are placed in other hands; but the minister who can bear to act such a dishonorable part, and the country that suffers it, will be mutual plagues and curses to each other.

Thus awkwardly circumstanced, the best minister on earth could accomplish nothing, nor on any occasion, however pressing and momentous,

exert the faculties of government with spirit or effect. It is not in the human mind to put forth the least vigor under the impression of uncertainty. While all my best-meant and best-concerted plans are still under the control of a villainous whisper, and the most valuable consequences which I flatter myself must have resulted from my honest and indefatigable industry are thus defeated by secret influence, it is impossible to continue in office any longer either with honor to myself or success to the public. The moment I bring forward a measure adequate to the exigency of the State, and stake my reputation, or indeed whatever is most dear and interesting in life, on its merit and utility, instead of enjoying the triumphs of having acted fairly and unequivocally, all my labors, all my vigilance, all my expectations, so natural to every generous and manly exertion, are not only vilely frittered, but insidiously and at once whispered away by rumors, which, whether founded or not, are capable of doing irreparable mischief, and have their full effect before it is possible to contradict or disprove them.

So much has been said about the captivity of the Throne, if his Majesty acts only in concert with his ministers, that one would imagine the spirit and soul of the British Constitution were yet unknown in this House. It is wisely established as a fundamental maxim, that "the king can do no wrong";

that whatever blunders or even crimes may be chargeable on the executive power, the Crown is still faultless. But how? Not by suffering tyranny and oppression in a free government to pass with impunity; certainly not; but the minister who advises or executes an unconstitutional measure does it at his peril; and he ought to know that Englishmen are not only jealous of their rights, but legally possessed of powers competent, on every such emergency, to redress their wrongs. What is the distinction between an absolute and a limited monarchy but this, that the sovereign in the one is a despot, and may do what he pleases; but in the other is himself subjected to the laws, and consequently not at liberty to advise with any one on public affairs not responsible for that advice? and the Constitution has clearly directed his negative to operate under the same wise restrictions. These prerogatives are by no means vested in the Crown to be exerted in a wanton and arbitrary manner. The good of the whole is the exclusive object to which all the branches of the Legislature and their different powers invariably point. Whoever interferes with this primary and supreme direction must, in the highest degree, be unconstitutional. Should, therefore, his Majesty be disposed to check the progress of the Legislature in accomplishing any measure of importance, either by giving countenance to an invidious

whisper or the exertion of his negative, without at the same time consulting the safety of his ministers, here would be an instance of maladministration for which, on that supposition, the Constitution has provided no remedy. And God forbid that ever the Constitution of this country should be found defective in a point so material and indispensable to the public welfare!

Sir, it is a public and crying grievance that we are not the first who have felt this secret influence. It seems to be a habit against which no change of men or measures can operate with success. It has overturned a more able and popular minister than the present, and bribed him with a peerage, for which his best friends never cordially forgave him. The scenes, the times, the politics, and the system of the Court may shift with the party that predominates, but this dark, mysterious engine is not only formed to control every ministry, but to enslave the Constitution. To this infernal spirit of intrigue we owe that incessant fluctuation in his Majesty's councils by which the spirit of government is so much relaxed and all its minutest objects so fatally deranged. During the strange and ridiculous interregnum of last year, I had not a doubt in my own mind with whom it originated; and I looked to an honorable gentleman opposite to me, the moment the grounds of objection to the East India Bill were stated. The same illiberal and plotting

cabal which then invested the Throne and darkened the royal mind with ignorance and misconception has once more been employed to act the same part. But how will the genius of Englishmen brook the insult? Is this enlightened and free country, which has so often and successfully struggled against every species of undue influence, to revert to those Gothic ages when princes were tyrants, ministers minions, and governments intriguing? Much and gloriously did this House fight and overcome the influence of the Crown by purging itself of ministerial dependents; but what was the Contractors' Bill, the Board of Trade, or a vote of the revenue officers, compared to a power equal to one third of the Legislature, unanswerable for and unlimited in its acting? Against those we had always to contend; but we knew their strength, we saw their disposition; they fought under no covert, they were a powerful, not a sudden enemy. To compromise the matter therefore, Sir, it would become this House to say, "Rather than yield to a stretch of prerogative thus unprecedented and alarming, withdraw your secret influence, and whatever intrenchments have been made on the Crown we are ready to repair; take back those numerous and tried dependents who so often secured you a majority in Parliament; we submit to all the mischief which even this accession of strength is likely to produce; but, for God's

sake, strangle us not in the very moment we look for success and triumph by an infamous string of Bedchamber janizaries!"

The right honorable gentleman has told us, with his usual consequence and triumph, that our duty, circumstanced as we are, can be attended with no difficulty whatever; the moment the Sovereign withdraws his confidence it becomes us to retire. I will answer him, in my turn, that the whole system in this dishonorable business may easily be traced. Aware of that glorious and independent majority which added so much dignity and support to the measure which appears thus formidable to secret influence, they find all their efforts to oppose it here abortive; the private cabal is consequently convened, and an invasion of the Throne, as most susceptible of their operations, proposed. It was natural to expect that I, for one, would not be backward to spurn at such an interference. This circumstance affords all the advantage they wished. I could not be easy in my situation under the discovery of such an insult; and this critical moment is eagerly embraced to goad me from office, to upbraid me with the meanness of not taking the hint, to remind me in public of the fate which I owe to secret advice. When that hour comes—and it may not be very distant—that shall dismiss me from the service of the public, the right honorable gentleman's example of lingering in

office, after the voice of the nation was that he should quit it, shall not be mine. I did not come in by the fiat of Majesty, though by this fiat I am not unwilling to go out. I ever stood, and wish now and always to stand, on public ground alone. I have too much pride ever to owe anything to secret influence. I trust in God this country has too much spirit not to spurn and punish the minister that does!

It is impossible to overlook or not to be surprised at the extreme eagerness of the right honorable gentleman about our places, when twenty-four hours, at most, would give him full satisfaction. Is it that some new information may be requisite to finish a system thus honorably begun? Or is the right honorable gentleman's youth the only account which can be given of that strange precipitancy and anxiety which he betrays on this occasion? It is, in my opinion, the best apology which can be urged in his behalf. Generosity and unsuspecting confidence are the usual disposition of this tender period. The friends of the right honorable gentleman, I doubt not, will soon teach him experience and caution; and when once he has known them as long, received as many of their promises, and seen their principles as much tried as I have done, he may not, perhaps, be quite so prodigal of his credulity as he now is. Is he apprised of the lengths these men would go to serve

their own selfish and private views? that their public spirit is all profession and hypocrisy? and that the only tie which unites and keeps them together is that they are known only to each other, and that the moment of their discord puts a period to their strength and consequence?

If, however, a change must take place, and a new ministry is to be formed and supported, not by the confidence of this House, or of the public, but by the sole authority of the Crown, I, for one, shall not envy that right honorable gentleman his situation. From that moment I put in my claim for a monopoly of Whig principles. The glorious cause of freedom, of independence, and of the Constitution, is no longer his, but mine. In this I have lived; in this I will die. It has borne me up under every aspersion to which my character has been subjected. The resentments of the mean and the aversions of the great, the rancor of the vindictive and the subtlety of the base, the dereliction of friends and the efforts of enemies, have not all diverted me from that line of conduct which has always struck me as the best. In the ardor of debate, I may have been, like all other men, betrayed into expressions capable of misrepresentation; but the open and broad path of the Constitution has uniformly been mine. I never was the tool of any junto. I accepted of office at the obvious inclination of this House; I

shall not hold it a moment after the least hint from them to resume a private station.

The right honorable gentleman is, however, grasping at place on very different grounds. He is not called to it by a majority of this House; but, in defiance of that majority, stands forth the advocate and candidate for secret influence. How will he reconcile a conduct thus preposterous to the Constitution with those principles for which he has pledged himself to the people of England? By what motives can he be thus blind to a system which so flatly and explicitly gives the lie to all his former professions? Will secret influence conciliate that confidence to which his talents, connections, and principles entitle him, but to which the aspect under which he must now appear to an indignant and insulted public effectually bars his claim? Will secret influence unite this House in the adoption of measures which are not his own, and to which he only gives the sanction of his name to save them from contempt? Will secret influence draw along with it that affection and cordiality from all ranks without which the movements of Government must be absolutely at a stand? Or, is he weak and violent enough to imagine that his Majesty's mere nomination will singly weigh against the constitutional influence of all these considerations? For my own part, it has been always my opinion that this country can

labor under no greater misfortune than a ministry without strength and stability. The tone of Government will never recover so as to establish either domestic harmony or foreign respect, without a permanent administration; and whoever knows anything of the Constitution and the present state of parties among us must be sensible that this great blessing is only and substantially to be obtained and realized in connection with public confidence. It is undoubtedly the prerogative of the sovereign to choose his own servants, but the Constitution provides that these servants shall not be obnoxious to his subjects by rendering all their exertions, thus circumstanced, abortive and impracticable. The right honorable gentleman had, therefore, better consider how much he risks by joining an arrangement thus hostile to the interests of the people; that they will never consent to be governed by secret influence; and that all the weight of his private character, all his eloquence and popularity, will never render the midnight and despotic mandates of an interior cabinet acceptable to Englishmen.

When I say in what manner and to what ends the wisdom and experience of our ancestors have thus directed the exercise of all the royal prerogatives, let me not be understood as meaning in any degree to detract from those dutiful regards which all of us owe, as good citizens and loyal subjects,

to the prince who at present fills the British throne. No man venerates him more than I do, for his personal and domestic virtues. I love him as I love the Constitution, for the glorious and successful efforts of his illustrious ancestors in giving it form and permanency. The patriotism of these great and good men must endear, to every lover of his country, their latest posterity. The King of England can never lose the esteem of his people while they remember with gratitude the many obligations which they owe to his illustrious family. Nor can I wish him a greater blessing than that he may reign in the hearts of his subjects, and that their confidence in his government may be as hearty and sincere as their affection for his person.

RICHARD BRINSLEY SHERIDAN

Richard Brinsley Sheridan, the most brilliant man of his brilliant day, was born in Dublin in 1751. He was educated in his native city, and afterwards at Harrow, being considered at both places a hopeless dunce. After a desultory and varied career, he betook himself to writing for the stage, and his first play, *The Rivals,* produced in 1775, achieved a wide and lasting popularity. In 1777 his masterpiece, *The School for Scandal,* was brought out at the Drury Lane Theatre, of which he was part owner. He now, while still engaged in dramatic writing, became deeply interested in politics, and in 1780, through the influence of Fox, was returned as member of Parliament for the borough of Stafford. He was a consistent Whig, and his humor and eloquence made him a welcome and potent recruit. His greatest oratorical efforts, those on the impeachment of Warren Hastings, were considered the noblest triumphs of an era so prolific of such successes. Sheridan, however, as reckless and improvident as he was gifted, was unable to reap any substantial benefits from his opportunities. Money melted in his hands, and his health and spirits at last gave way. In 1812 he retired from Parliament, and the remainder of his life was a story of penury and misery. He died in 1816, and was buried with great ceremony in Westminster Abbey.

Sheridan was one of the most elegant of orators, rarely indulging in invective or acrimony. He was chiefly distinguished for tact and great power of ridicule, but when the occasion called for eloquence he responded in a strain rarely attained. His language was classical, his points keenly yet quietly made, his statement lucid, his satire trenchant. His reasoning was rather diffuse, being that of the literary man rather than the debater, but on the delivery of the first of his

speeches against Hastings the House was compelled to adjourn until it could reach a calmer mood.

Sheridan is best known as a writer by his dramatic works, *The Rivals, The School for Scandal,* and *The Critic* being his best. There is no record preserved of any of his speeches, except that known as the Begum Speech. The best biography of Sheridan is Thomas Moore's *Life of Sheridan.*

ON THE IMPEACHMENT OF WARREN HASTINGS

[Selection.] *Richard Brinsley Sheridan.*

It is most unfortunate for the student of oratory that but one of Sheridan's speeches in the case of Warren Hastings has been preserved. Judging from that one, the complete number would have furnished matter for wonder and admiration, and we know by report that their effect was electrifying. The speech which has come down to us is of such length that a selection only can be here given, but that will suffice to show the wonderful powers of Sheridan as an orator. A master of satire and sarcasm, he often rises to a loftier flight than these can give, although, as reported, the speech is not at all times free from exaggeration of sentiment and expression, sometimes coming perilously close to bombast. But this may probably be attributed to the very unreliable reports of that day, from which so many speakers suffered. Certain it is that in most of the passages which have been preserved Sheridan is at once powerful and effective, and if his pathos is rather mawkish, his descriptions of the cruelties practised on the natives are graphic in the extreme.

IT is, my Lords, in some degree worthy of your observation, that not one of the private letters of Mr. Hastings has at any time been disclosed. Even Middleton, when all confidence was broken between them by the production of his private correspondence at Calcutta, either feeling for his own safety, or sunk under the fascinating influence of his master, did not dare attempt a retaliation! The letters of Middleton, however, are sufficient to

prove the situation of the Nabob, when pressed to the resumption of the jaghires. He is there described as being sometimes lost in sullen melancholy — at others, agitated beyond expression, exhibiting every mark of agonized sensibility. Even Middleton was moved by his distresses to interfere for a temporary respite, in which he might become more reconciled to the measure. "I am fully of opinion," said he, "that the despair of the Nabob must impel him to violence. I know, also, that the violence must be fatal to himself; but yet I think that, with his present feelings, he will disregard all consequences."

Mr. Johnson, the assistant resident, also wrote to the same purpose. The words of his letter are memorable. He thought "it would require a campaign to execute the orders for the resumption of the *jaghires!*" A campaign against whom? Against the Nabob, our friend and ally, who had voluntarily given the order! This measure, then, which we have heard contended was for his good and the good of his country, could truly be only enforced by a campaign! Such is British justice! Such is British humanity! Mr. Hastings guarantees to the allies of the Company their prosperity and his protection. The former he secures by sending an army to plunder them of their wealth and to desolate their soil. The latter produces the misery and the ruin of the protected. His is

the protection which the vulture gives to the lamb, which covers while it devours its prey; which, stretching its baleful pinions and hovering in mid-air, disperses the kites and lesser birds of prey, and saves the innocent and helpless victim from all talons but its own.

It is curious, my Lords, to remark that in the correspondence of these creatures of Mr. Hastings, and in their earnest endeavors to dissuade him from the resumption of the *jaghires,* not a word is mentioned of the measure being contrary to honor — to faith; derogatory to national character; unmanly or unprincipled. Knowing the man to whom they were writing, their only arguments were that it was contrary to policy and to expediency. Not one word do they mention of the just claims which the Nabob had to the gratitude and friendship of the English; not one syllable of the relation which subsisted between him and the princesses they were about to plunder. Not one syllable is hinted of justice or mercy. All which they addressed to him was the apprehension that the money to be procured would not be worth the danger and labor with which it must be attended. There is nothing, my Lords, to be found in the history of human turpitude—nothing in the nervous delineations and penetrating brevity of Tacitus—nothing in the luminous and luxuriant pages of Gibbon, or of any other historian, dead

or living, who, searching into measures and characters with the rigor of truth, presents to our abhorrence depravity in its blackest shapes, which can equal, in the grossness of the guilt, or in the hardness of heart with which it was conducted, or in low and grovelling motives, the acts and character of the prisoner. It was he who, in the base desire of stripping two helpless women, could stir the son to rise up in vengeance against them; who, when that son had certain touches of nature in his breast, certain feelings of an awakened conscience, could accuse him of entertaining peevish objections to the plunder and sacrifice of his mother; who, having finally divested him of all thought, all reflection, all memory, all conscience, all tenderness and duty as a son, all dignity as a monarch,—having destroyed his character and depopulated his country,—at length brought him to violate the dearest ties of nature, in countenancing the destruction of his parents. This crime, I say, has no parallel or prototype in the Old World or the New, from the day of original sin to the present hour. The victims of his oppression were confessedly destitute of all power to resist their oppressors. But their debility, which from other bosoms would have claimed some compassion, at least with respect to the mode of suffering, with him only excited the ingenuity of torture. Even when every feeling of the Nabob was subdued;

when, as we have seen, my Lords, nature made a last, lingering, feeble stand within his breast; even then, that cold spirit of malignity, with which his doom was fixed, returned with double rigor and sharper acrimony to its purpose, and compelled the child to inflict on the parent that destruction of which he was himself reserved to be the final victim.

Great as is this climax, in which, my lords, I thought the pinnacle of guilt was attained, there is yet something still more transcendently flagitious. I particularly allude to his (Hastings's) infamous letter, falsely dated the 15th of February, 1782, in which, at the very moment that he had given the order for the entire destruction of the Begums and for the resumption of the *jaghires,* he expresses to the Nabob the warm and lively interest which he took in his welfare; the sincerity and ardor of his friendship; and that, though his presence was eminently wanted at Calcutta, he could not refrain from coming to his assistance, and that in the meantime he had sent four regiments to his aid; so deliberate and cool, so hypocritical and insinuating, is the villainy of this man! What heart is not exasperated by the malignity of a treachery so barefaced and dispassionate! At length, however, the Nabob was on his guard. He could not be deceived by this mask. The offer of the four regiments developed to him the object of Mr. Hastings.

He perceived the dagger bunglingly concealed in the hand which was treacherously extended as if to his assistance. From this moment the last faint ray of hope expired in his bosom. We accordingly find no further confidence of the Nabob in the prisoner. Mr. Middleton now swayed his iron sceptre without control. The *jaghires* were seized. Every measure was carried. The Nabob, mortified, humbled, and degraded, sunk into insignificance and contempt. This letter was sent at the very time when the troops surrounded the walls of Fyzabad; and then began a scene of horrors which, if I wished to inflame your lordships' feelings, I should only have occasion minutely to describe—to state the violence committed on that palace which the piety of the kingdom had raised for the retreat and seclusion of the objects of its pride and veneration. It was in these shades, rendered sacred by superstition, that innocence reposed. Here venerable age and helpless infancy found an asylum. If we look, my Lords, into the whole of this most wicked transaction, from the time when this treachery was first conceived, to that when, by a series of artifices the most execrable, it was brought to a completion, the prisoner will be seen standing aloof, indeed, but not inactive. He will be discovered reviewing his agents, rebuking at one time the pale conscience of Middleton, at another relying on the stouter villainy of

Hyder Beg Cawn. With all the calmness of veteran delinquency, his eye will be seen ranging through the busy prospect, piercing the darkness of subordinate guilt, and disciplining with congenial adroitness the agents of his crimes and the instruments of his cruelty.

The feelings, my Lords, of the several parties at the time will be most properly judged of by their respective correspondence. When the Bow [younger] Begum, despairing of redress from the Nabob, addressed herself to Mr. Middleton, and reminded him of the guarantee which he had signed, she was instantly promised that the amount of her *jaghire* should be made good, though he said he could not interfere with the sovereign decision of the Nabob respecting the lands. The deluded and unfortunate woman "thanked God that Mr. Middleton was at hand for her relief." At this very instant he was directing every effort to her destruction; for he had actually written the orders which were to take the collection out of the hands of her agent! But let it not be forgotten, my Lords, when the Begum was undeceived,—when she found that British faith was no protection,—when she found that she should leave the country, and prayed to the God of nations not to grant His peace to those who remained behind,—there was still no charge of rebellion, no recrimination made to all her reproaches for the

broken faith of the English; that, when stung to madness, she asked how long would be her reign, there was no mention of her disaffection. The stress is therefore idle which the counsel for the prisoner have strove to lay on these expressions of an injured and enraged woman. When at last, irritated beyond bearing, she denounced infamy on the heads of her oppressors, who is there that will not say that she spoke in a prophetic spirit, and that what she then predicted has not, even to its last letter, been accomplished? But did Mr. Middleton, even to this violence, retort any particle of accusation? No! he sent a jocose reply, stating that he had received such a letter under her seal, but that, from its contents, he could not suspect it to come from her; and begged, therefore, that she would endeavor to detect the forgery! Thus did he add to foul injuries the vile aggravation of a brutal jest. Like the tiger, he showed the savageness of his nature by grinning at his prey and fawning over the last agonies of his unfortunate victim!

The letters, my Lords, were then enclosed to the Nabob, who, no more than the rest, made any attempt to justify himself by imputing any criminality to the Begums. He only sighed a hope that his conduct to his parents had drawn no shame upon his head; and declared his intention to punish, not any disaffection in the Begums, but

some officious servants who had dared to foment the misunderstanding between them and himself. A letter was finally sent to Mr. Hastings, about six days before the seizure of the treasures from the Begums, declaring their innocence, and referring the Governor General, in proof of it, to Captain Gordon, whose life they had protected, and whose safety should have been their justification. This inquiry was never made. It was looked on as unnecessary, because the conviction of their innocence was too deeply impressed already.

The counsel, my Lords, in recommending an attention to the public in reference to the private letters, remarked particularly that one of the latter should not be taken in evidence, because it was evidently and abstractedly private, relating the anxieties of Mr. Middleton on account of the illness of his son. This is a singular argument indeed. The circumstance, however, undoubtedly merits strict observation, though not in the view in which it was placed by the counsel. It goes to show that some, at least, of the persons concerned in these transactions felt the force of those ties which their efforts were directed to tear asunder; that those who could ridicule the respective attachment of a mother and a son,—who could prohibit the reverence of the son to the mother,—who could deny to maternal debility the protection which filial tenderness should afford, were yet sensible

of the straining of those chords by which they are connected. There is something in the present business, with all that is horrible to create aversion, so vilely loathsome as to excite disgust. It is, my Lords, surely superfluous to dwell on the sacredness of the ties which those aliens to feeling, those apostates to humanity, thus divided. In such an assembly as the one before which I speak, there is not an eye but must look reproof to this conduct, not a heart but must anticipate its condemnation. Filial piety! It is the primal bond of society. It is that instinctive principle which, panting for its proper good, soothes, unbidden, each sense and sensibility of man. It now quivers on every lip. It now beams from every eye. It is that gratitude which, softening under the sense of recollected good, is eager to own the vast, countless debt it never, alas! can pay, for so many long years of unceasing solicitudes, honorable self-denials, life-preserving cares. It is that part of our practice where duty drops its awe, where reverence refines into love. It asks no aid of memory. It needs not the deductions of reason. Preëxisting, paramount over all, whether moral law or human rule, few arguments can increase and none can diminish it. It is the sacrament of our nature; not only the duty, but the indulgence of man. It is his first great privilege. It is among his last most endearing delights. It causes the bosom to glow with

reverberated love. It requites the visitations of nature, and returns the blessings that have been received. It fires emotion into vital principle. It changes what was instinct into a master passion; sways all the sweetest energies of man; hangs over each vicissitude of all that must pass away; and aids the melancholy virtues in their last sad tasks of life, to cheer the languors of decrepitude and age; and

"Explore the thought, explain the aching eye!"

But, my Lords, I am ashamed to consume so much of your Lordships' time in attempting to give a cold picture of this sacred impulse, when I behold so many breathing testimonies of its influence around me—when every countenance in this assembly is beaming and erecting itself into the recognition of this universal principle!

The expressions contained in the letter of Mr. Middleton of tender solicitude for his son have been also mentioned as a proof of the amiableness of his affections. I confess that they do not tend to raise his character in my estimation. Is it not rather an aggravation of his guilt that he who thus felt the anxieties of a parent, and who, consequently, must be sensible of the reciprocal feelings of a child, could be brought to tear asunder and violate in others all those dear and sacred bonds? Does it not enhance the turpitude of the

transaction that it was not the result of idiotic ignorance or brutal indifference? I aver that his guilt is increased and magnified by these considerations. His criminality would have been less had he been insensible to tenderness—less, if he had not been so thoroughly acquainted with the true quality of parental love and filial duty.

The *jaghires* being seized, my Lords, the Begums were left without the smallest share of that pecuniary compensation promised by Mr. Middleton as an equivalent for the resumption. And as tyranny and injustice, when they take the field, are always attended by their camp-followers, paltry pilfering and petty insult, so in this instance the goods taken from the princesses were sold at a mock sale at an inferior value. Even gold and jewels, to use the language of the Begums, instantly lost their value when it was known that they came from them. Their ministers were imprisoned to extort the deficiency which this fraud occasioned; and every mean art was employed to justify a continuance of cruelty toward them. Yet this was small to the frauds of Mr. Hastings. After extorting upwards of £600,000, he forbade Mr. Middleton to come to a conclusive settlement with the Princesses. He knew that the treasons of our allies in India had their origin solely in the wants of the Company. He could not, therefore, say that the Begums were entirely innocent until he

had consulted the General Record of Crimes, the Cash Account of Calcutta! His prudence was fully justified by the event; for there was actually found a balance of twenty-six lacs more against the Begums, which £260,000 worth of treason had never been dreamed of before. "Talk not to us," said the Governor General, "of their guilt or innocence, but as it suits the Company's credit! We will not try them by the Code of Justinian, nor the Institutes of Timur. We will not judge them either by British laws or their local customs! No! we will try them by the Multiplication Table; we will find the guilty by the Rule of Three; and we will condemn them according to the unerring rules of —Cocker's Arithmetic!"

My Lords, the prisoner has said in his defence that the cruelties exercised toward the Begums were not of his order. But in another part of it he avows, that "whatever were their distresses, and whoever was the agent in the measure, it was, in his opinion, reconcilable to justice, honor, and sound policy"! By the testimony of Major Scott, it appears that though the defence of the prisoner was not drawn up by himself, yet that this paragraph he wrote with his own proper hand. Middleton, it seems, had confessed his share in these transactions with some degree of compunction and solicitude as to the consequences. The prisoner, observing it, cries out to him, "Give me

the pen, I will defend the measure as just and necessary. I will take something upon myself. Whatever part of the load you cannot bear my unburdened character shall assume! Your conduct I will crown with my irresistible approbation. Do you find memory and I will find character, and thus, twin warriors, we will go into the field, each in his proper sphere of action, and assault, repulse, and contumely shall all be set at defiance."

If I could not prove, my Lords, that those acts of Mr. Middleton were in reality the acts of Mr. Hastings, I should not trouble your Lordships by combating them: but as this part of his criminality can be incontestably ascertained, I appeal to the assembled legislators of this realm to say whether these acts were justifiable on the score of policy. I appeal to all the august presidents in the courts of British justice, and to all the learned ornaments of the profession, to decide whether these acts were reconcilable to justice. I appeal to the reverend assemblage of prelates, feeling for the general interests of humanity and for the honor of the religion to which they belong, to determine whether these acts of Mr. Hastings and Mr. Middleton were such as a Christian ought to perform, or a man to avow.

My Lords, with the ministers of the Nabob (Bahar Ally Cawn and Jewar Ally Cawn) was confined in the same prison that arch-rebel Sumshire

Cawn, against whom so much criminality has been charged by the counsel for the prisoner. We hear, however, of no inquiry having been made concerning his treason, though so many were held respecting the treasures of the others. With all his guilt, he was not so far noticed as to be deprived of his food, to be complimented with fetters, or even to have the satisfaction of being scourged, but was cruelly liberated from a dungeon, and ignominiously let loose on his parole!

The Begums' ministers, on the contrary, to extort from them the disclosure of the place which concealed the treasure, were, according to the evidence of Mr. Holt, after being fettered and imprisoned, led out on a scaffold, and this array of terrors proving unavailing, the meek-tempered Middleton, as a *dernier resort,* menaced them with a confinement in the fortress of Churnargar. Thus, my Lords, was a British garrison made the climax of cruelties! To English arms, to English officers, around whose banners humanity has ever entwined her most glorious wreath, how will this sound? It was in this fort, where the British flag was flying, that these helpless prisoners were doomed to deeper dungeons, heavier chains, and severer punishments. Where that flag was displayed which was wont to cheer the depressed and to dilate the subdued heart of misery, these venerable but unfortunate men were fated to encounter every

aggravation of horror and distress. It, moreover, appears that they were both cruelly flogged, though one was about seventy years of age. Being charged with disaffection, they vindicated their innocence. "Tell us where are the remaining treasures," was the reply. "It is only treachery to your immediate sovereigns, and you will then be fit associates for the representatives of British faith and British justice in India!" O Faith! O Justice! I conjure you by your sacred names to depart for a moment from this place, though it be your peculiar residence, nor hear your names profaned by such a sacrilegious combination as that which I am now compelled to repeat—where all the fair forms of nature and art, truth and peace, policy and honor, shrink back aghast from the deleterious shade—where all existences nefarious and vile have sway—where, amid the black agents on one side and Middleton with Impey on the other, the great figure of the piece—characteristic in his place, aloof and independent from the puny profligacy in his train, but far from idle and inactive, turning a malignant eye on all mischief that awaits him; the multiplied apparatus of temporizing expedients and intimidating instruments, now cringing on his prey and fawning on his vengeance—now quickening the limping pace of craft, and forcing every stand that retiring nature can make to the heart; the attachments and the

decorums of life; each emotion of tenderness and honor; and all the distinctions of national pride; with a long catalogue of crimes and aggravations beyond the reach of thought for human malignity to perpetrate or human vengeance to punish; lower than perdition—blacker than despair!

It might, my Lords, have been hoped, for the honor of the human heart, that the Begums were themselves exempted from a share in these sufferings, and that they had been wounded only through the sides of their ministers. The reverse of this, however, is the fact. Their palace was surrounded by a guard, which was withdrawn by Major Gilpin to avoid the growing resentments of the people, and replaced by Mr. Middleton, through his fears of that "dreadful responsibility" which was imposed upon him by Mr. Hastings. The women, also, of the Khord Mahal, who were not involved in the Begums' supposed crimes; who had raised no sub-rebellion of their own; and who, it has been proved, lived in a distinct dwelling, were causelessly implicated, nevertheless, in the same punishment. Their residence surrounded with guards, they were driven to despair by famine, and, when they poured forth in sad procession, were beaten with bludgeons, and forced back by the soldiery to the scene of madness which they had quitted. These are acts, my Lords, which, when told, need no comment. I will not offer a

single syllable to awaken your Lordships' feelings, but leave it to the facts which have been stated to make their own impression.

The inquiry which now only remains, my Lords, is whether Mr. Hastings is to be answerable for the crimes committed by his agents? It has been fully proved that Mr. Middleton signed the treaty with the superior Begum in October, 1778. He also acknowledged signing some others of a different date, but could not recollect the authority by which he did it! These treaties were recognized by Mr. Hastings, as appears by the evidence of Mr. Purling, in the year 1780. In that of October, 1778, the *jaghire* was secured which was allotted for the purpose of the women in the Khord Mahal. But still the prisoner pleads that he is not accountable for the cruelties which were exercised. His is the plea which tyranny, aided by its prime minister, treachery, is always sure to set up. Mr. Middleton has attempted to strengthen this ground by endeavoring to claim the whole infamy in those transactions, and to monopolize the guilt! He dared even to aver that he had been condemned by Mr. Hastings for the ignominious part he had acted. He dared to avow this, because Mr. Hastings was on his trial, and he thought he never would be arraigned; but in the face of this court, and before he left the bar, he was compelled to confess that it was for the lenience, and not the severity of his

proceedings, that he had been reproved by the prisoner.

It will not, I trust, be concluded that, because Mr. Hastings has not marked every passing shade of guilt, and because he has only given the bold outline of cruelty, he is therefore to be acquitted. It is laid down by the law of England, that law which is the perfection of reason, that a person ordering an act to be done by his agent is answerable for that act with all its consequences—*qui facit per alium, facit per se.* Middleton was appointed in 1777 the confidential agent, the second self, of Mr. Hastings. The Governor General ordered the measure. Even if he never saw, nor heard afterward of its consequences, he was therefore answerable for every pang that was inflicted, and for all the blood that was shed. But he did hear, and that instantly, of the whole. He wrote to accuse Middleton of forbearance and of neglect! He commanded him to work upon the hopes and fears of the Princesses, and to leave no means untried, until, to speak his own language, which was better suited to the banditti of a cavern, "he obtained possession of the secret hoards of the old ladies." He would not allow even of a delay of two days to smooth the compelled approaches of a son to his mother on this occasion! His orders were peremptory. After this, my Lords, can it be said that the prisoner was

ignorant of the acts, or not culpable for their consequences? It is true, he did not direct the guards, the famine, and the bludgeons; he did not weigh the fetters, nor number the lashes to be inflicted on his victims; but yet he is just as guilty as if he had borne an active and personal share in each transaction. It is as if he had commanded that the heart should be torn from the bosom, and enjoined that no blood should flow. He is in the same degree accountable to the law, to his country, to his conscience, and to his God!

The prisoner has endeavored also to get rid of a part of his guilt by observing that he was but one of the supreme council, and that all the rest had sanctioned those transactions with their approbation. Even if it were true that others did participate in the guilt, it cannot tend to diminish his criminality. But the fact is that the council erred in nothing so much as in a reprehensible credulity given to the declarations of the Governor General. They knew not a word of those transactions until they were finally concluded. It was not until the January following that they saw the mass of falsehood which had been published under the title of *Mr. Hastings' Narrative.* They were, then, unaccountably duped to permit a letter to pass, dated the 29th of November, intended to seduce the Directors into a belief that they had received intelligence at that time, which was not the fact.

These observations, my Lords, are not meant to cast any obloquy on the council; they undoubtedly were deceived; and the deceit practised on them is a decided proof of his consciousness of guilt. When tired of corporeal infliction, Mr. Hastings was gratified by insulting the understanding. The coolness and reflection with which this act was managed and concerted raises its enormity and blackens its turpitude. It proves the prisoner to be that monster in nature, a deliberate and reasoning tyrant! Other tyrants of whom we read, such as a Nero or a Caligula, were urged to their crimes by the impetuosity of passion. High rank disqualified them from advice, and perhaps equally prevented reflection. But in the prisoner we have a man born in a state of mediocrity; bred to mercantile life; used to system, and accustomed to regularity; who was accountable to his masters, and therefore was compelled to think and to deliberate on every part of his conduct. It is this cool deliberation, I say, which renders his crimes more horrible and his character more atrocious.

When, my Lords, the Board of Directors received the advices which Mr. Hastings thought proper to transmit, though unfurnished with any other materials to form their judgment, they expressed very strongly their doubts, and properly ordered an inquiry into the circumstances of the alleged

disaffection of the Begums, declaring it, at the same time, to be a debt which was due to the honor and justice of the British nation. This inquiry, however, Mr. Hastings thought it absolutely necessary to elude. He stated to the council, in answer, that "it would revive those animosities that subsisted between the Begums and the Nabob [Asoph Dowlah], which had then subsided. If the former were inclined to appeal to a foreign jurisdiction, they were the best judges of their own feeling, and should be left to make their own complaint." All this, however, my Lords, is nothing to the magnificent paragraph which concludes this communication. "Besides," says he, "I hope it will not be a departure from official language to say that the majesty of Justice ought not to be approached without solicitation. She ought not to descend to inflame or provoke, but to withhold her judgment until she is called on to determine." What is still more astonishing is that Sir John Macpherson, who, though a man of sense and honor, is rather Oriental in his imagination and not learned in the sublime and beautiful from the immortal leader of this prosecution, was caught by this bold, bombastic quibble, and joined in the same words, "that the majesty of justice ought not to be approached without solicitation." But, my Lords, do you, the judges of this land, and the expounders of its rightful laws, do you approve of this mockery.